

1
2 UNITED STATES DISTRICT COURT
3 WESTERN DISTRICT OF NEW YORK
-----x

4 CORY EPPS,

5 Plaintiff,

6 v.

1:19-cv-00281-LJV

7 THE CITY OF BUFFALO, DETECTIVE
8 JOHN BOHAN, DETECTIVE
9 REGINALD MINOR, DETECTIVE
10 MARK STAMBACH, DETECTIVE
11 JAMES GIARDINA DETECTIVE
12 ANTHONY CONSTANTINO,
13 DETECTIVE ROBERT CHELLA,
14 RANIERO MASSECHIA, CHARLES
15 ARONICA AND CHIEF JOSEPH RIGA,

16 Defendants.

17 -----x

18 January 19, 2021
19 11:22 a.m.

20 Videoconference deposition of JOHN
21 BOHEN, taken by plaintiff, pursuant to
22 notice, before Joseph B. Pirozzi, a
23 Registered Professional Reporter and Notary
24 Public of the State of New York.
25

APPEARANCES: (ALL APPEARING REMOTELY)

RICKNER PLLC

Attorneys for plaintiff

14 Wall Street

Suite 1603

New York, NY 10005

BY: ROB RICKNER

GLENN A. GARBER P.C.

Attorney for plaintiff

233 Broadway

#2370

New York, NY 10279

BY: GLENN A. GARBER

APPEARANCES (Continued):

CITY OF BUFFALO LAW DEPARTMENT
CORPORATION COUNSEL'S OFFICE

Attorneys for defendants

65 Niagara Square

Room 1112

Buffalo, NY 14202-3313

BY: MAEVE HUGGINS

m.huggins@city-buffalo.com

PRESENT:

STEPHANIE PANOUSIERIS

STIPULATIONS

IT IS HEREBY STIPULATED AND AGREED, by
and between counsel for the respective
parties hereto, that all objections, except
as to form, are reserved to the time of
trial.

IT IS FURTHER STIPULATED AND AGREED
that the deposition may be signed and sworn
to before any officer authorized to
administer an oath.

IT IS FURTHER STIPULATED AND AGREED
that the sealing and filing of the
deposition be waived.

1
2 THE REPORTER: "The attorneys
3 participating in this deposition
4 acknowledge that I am not physically
5 present in the deposition room and that
6 I will be reporting this deposition
7 remotely.

8 "They further acknowledge that,
9 in lieu of an oath administered in
10 person, I will administer the oath
11 remotely, pursuant to Executive Order
12 Number 202.7 issued by Governor Cuomo
13 on March 19, 2020.

14 "The parties and their counsel
15 consent to this arrangement and waive
16 any objections to this manner of
17 reporting.

18 "Please indicate your agreement
19 by stating your name and your agreement
20 on the record."

21 MR. RICKNER: Plaintiff agrees.

22 MS. HUGGINS: I agree on behalf
23 of defendant.

24 (Continued on next page)
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

6

JOHN BOHEN,

called as a witness, having been duly
sworn, testified as follows:

EXAMINATION

BY MR. RICKNER:

Q. Officer Bohlen --

A. Yes.

Q. -- have you ever had your
deposition taken before?

A. Yeah, I believe I have.

Q. Okay. I just want to go over
some ground rules. Maybe your attorney
also went over them, but this is really
just to make sure that we get a nice, clear
transcript.

A. Okay.

Q. You have to answer every question
verbally, even though you are on camera and
being recorded, for the purpose of the
transcript you can't go uh-huh, you have to
say yes or no. Gestures or more vague
statements that we use in conversation
aren't enough.

Do you understand?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

7

A. Yes.

MS. HUGGINS: Hang on just one moment, just a point of clarification. Did you say that the video portion is being recorded?

MR. RICKNER: That was my understanding, yeah.

MS. HUGGINS: I don't think that I was given notice of that. It does not look like it's actually being recorded.

MR. RICKNER: I'm fine -- for the nonparties I'm going to probably insist on it. For the officers I don't mind.

MS. HUGGINS: I don't think it was noticed that way. I also don't see it actually recording.

MR. RICKNER: It says paused, but I was going to mention we have to unpause it, but it's fine. I don't need it --

MS. HUGGINS: Okay. All right.

MR. RICKNER: Although I do think it was noticed that way. The form I

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 8

use only notices -- I always do it, so pretty sure I did.

MS. HUGGINS: Okay.

MR. RICKNER: But for the officers, fine, no problem at all.

MS. HUGGINS: Or at least for this one and then we can talk about it for the rest. Thank you.

MR. RICKNER: Absolutely. I'm not dressed up anyway.

Q. So, Officer Bohen, the other thing that we need to make sure to do, is that even though I ask these long, rambling questions and you may know exactly where I'm going, you still have to wait until I'm finished asking the question before you jump in and answer.

Can you do that for me?

A. Yes.

Q. Do you have any medical reason why you can't give full and truthful testimony today?

A. No.

Q. You said you had your deposition

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

9

taken before. Can you tell me when that was?

A. Sometime in 1970.

Q. Since 1970, have you ever had your deposition taken?

A. No, I don't believe so.

Q. Is it fair to say that you have testified in court?

A. Yes.

Q. Have you testified in grand jury proceedings?

A. Yes.

Q. When you testified in court, were you ever cross-examined with grand jury proceedings?

A. Yes.

Q. So is it fair to say that you understand that you need to be careful to give accurate answers when you're on the record?

A. Yes.

Q. Did you do anything to prepare for this deposition today?

A. Just met with Maeve.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 10

Q. Without going into any of the content of your conversations, can you tell me how long you met with her?

A. Oh, a couple of hours.

Q. Besides the couple of hours that you met with Maeve, did you do anything else to prepare for this deposition?

A. No.

Q. When did you first have notice that Cory Epps was bringing claims against you?

A. I was sent a mail on it and, in fact, if I can look at it, I don't know exactly what date.

MS. HUGGINS: For the record, it was just a communication from counsel.

Q. Can you disclose the date for me?

A. You're asking me?

Q. I don't need to know the contents of that communication because that's privileged, but the date would not be.

MS. HUGGINS: If you want to take a look inside the letter that I sent you and just tell him the date only

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

11

that I sent that letter to you.

A. It looks like May 30th of 2019.

Q. Do you know -- withdrawn.

Besides Maeve Huggins, have you
discussed this lawsuit with anyone else?

A. No, sir.

Q. Do you know Detective Reginald
Minor?

A. Yes, I do.

Q. When was the last time you spoke
with Detective Minor?

A. Probably 24 years ago when I
retired.

Q. Fair enough.

Do you know Detective Mark
Stambach?

A. Yes.

Q. When was the last time you spoke
with Detective Stambach?

A. Probably the same, 24 years ago.

Q. Do you know Detective James
Giardina?

A. Yes, I do.

Q. When was the last time you spoke

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

12

with Detective Giardina?

A. Probably about the same, 24 years ago.

Q. Do you know Detective Anthony Constantino?

A. Yes, I do.

Q. When was the last time you spoke with Detective Constantino?

A. About 24 years ago.

Q. And do you know Detective Robert Chella?

A. Yes, I do.

Q. When was the last time you spoke with Detective Chella?

A. 24 years ago.

Q. Do you know Detective Raniero Massechia?

A. Yes, I do.

Q. When was the last time you spoke with Detective Massechia?

A. 24 years ago.

Q. And do you know Detective Charles Aronica?

A. Yes, I do.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

13

Q. When was the last time you spoke with Detective Aronica?

A. 24 years ago.

Q. Do you know Chief Joseph Riga?

A. Yes, I do.

Q. When was the last time you spoke with Chief Riga?

A. 24 years ago.

Q. So it's fair to say you haven't really kept in contact with the old squad since you retired?

A. Yes, sir.

Q. When did you graduate high school?

A. 1950 -- no, high school, 1962.

Q. And did you go to college?

A. For a short time.

Q. A year or two?

A. Less than that. Well, probably at least a year.

Q. So it's fair to say you didn't earn a degree?

A. No, I did not.

Q. Prior to joining the police

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

14

department in Buffalo, did you work at any other police departments?

A. No.

Q. When did you join the Buffalo Police Department?

A. August 1968.

Q. Between 1962 and 1968, did you have any jobs in law enforcement?

A. 1962 to '68, yes, sir, I did.

Q. And what was that?

A. I got to go back. I was with the Erie County Sheriff's Department as a jail guard.

Q. And what years did you have that position?

A. Oh, probably, let me think, probably 1967 to 1968.

Q. And prior to 1967, did you have any jobs in law enforcement?

A. No, sir.

Q. After you joined the police department in August of 1968, did you go to some sort of basic training?

A. Yes, sir.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 15

Q. And about how long did that take?
A. I believe it was maybe four months.

Q. During that training, did you receive any instruction regarding lineup procedures? And by that, I mean physical lineup procedures where the people are actually there.

A. No, sir.
Q. Did you receive any training regarding photograph lineups, meaning where you put six photographs on a sheet and then show them to a witness?

A. No, sir.
Q. Did you receive any -- well, let me try to get the dates right.

Did you receive any training regarding Brady material, meaning exculpatory material that needs to be turned over to, ultimately, the criminal defendant in a case?

A. No, sir.
Q. Now --
MS. HUGGINS: Are you asking in

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

16

terms of in the basic academy level training or are you asking generally?

MR. RICKNER: I'm asking specifically in the four months. And to be clear, my memory isn't perfect, he may have actually gone to training before Brady was enacted. But I asked the question anyway, as to whether or not it matters, we'll find out later.

MS. HUGGINS: I'm just asking you to clarify the time frame.

MR. RICKNER: I'm specifically talking about the four months and then we're going to move on to other training as we sort of march through his career, hopefully make it quick.

Q. So is it fair to say that you started as some sort of patrol officer or line-level officer?

A. Yes, sir.

Q. Did you have a title?

A. Patrolman.

Q. How long were you a patrolman?

A. I think it was about 15 years.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

17

Q. So is it fair to say that you were a patrolman from 1968 until 1983?

A. Somewhere in there, yes.

Q. After -- well, withdrawn.

During those 15 years when you were a patrolman, did you get any additional training?

A. Yeah, probably. What I got, I don't know.

Q. Okay. Fair enough.

During the 15 years you were a patrolman, did you get any training regarding lineup procedures, either photograph or in person?

A. No, sir.

Q. Did you get any training regarding interrogation techniques?

A. That's possible.

Q. And did you get any training regarding Brady or the obligation to turn over exculpatory evidence in those 15 years?

A. Not that I can recall.

Q. After you stopped being a

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

18

patrolman, were you promoted to a new position?

A. Yes, sir.

Q. And what was that position?

A. Detective.

Q. And when did you retire from the Buffalo Police Department?

A. December 18, 1997.

Q. You said 1997?

A. Yes.

Q. Were you a detective continuously from 1983 until your retirement in 1997?

A. Yes.

Q. When you started as a detective, did you get -- I'm sorry.

(Pause)

MR. RICKNER: Can everyone see me and hear me again?

(Discussion off the record)

MR. RICKNER: So back on the record hopefully.

Q. When you started work as a detective in 1983, did you go back to the academy for any additional training?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

19

A. Not that I'm aware of.

Q. Did you take any classes where you learned how to be a detective?

A. No.

Q. Did you receive on-the-job training?

A. Yes.

Q. When you received on-the-job training, was there a particular structure to it, meaning that the people who are instructing you were following some sort of plan in training you to be a detective?

MS. HUGGINS: Form.

A. Yes.

Q. Okay. Could you describe that process?

A. Well, you know, basically, it was on a daily type basis where you would go out with another detective who had cases to work at and just kind of follow his lead and watch what, you know, listen and watch what he was doing.

Q. Was there a particular detective that you were assigned to follow?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

20

A. No.

Q. How long did the on-the-job training take place; was it a year, six months, something else?

A. I would say, I might have had that for all the years I was a detective, you know, because you were learning things at different times.

Q. Sure.

Besides learning from other officers, during your time as a detective, did you ever take any classes regarding detective work of any kind?

A. Yes, sir.

Q. Okay. Did any of those classes include instruction on lineup procedures?

A. No, not really.

Q. Did any of the classes concern Brady materials or exculpatory evidence?

A. Not that I can say.

Q. Did you go to any seminars while you were a detective, maybe not a formal class, but a place where you would go and hear about certain issues for being a

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

21

detective?

A. Yes, sir.

Q. Did any of those seminars involve
lineup procedures?

A. No.

Q. Any of these seminars involve
Brady material?

A. No.

MS. HUGGINS: Form.

When he's using the term Brady,
do you know what that means?

THE WITNESS: No, not really.

Q. Well, let me ask that.

Do you know what Brady material
is?

A. No, sir, I don't. I've heard of
it.

Q. Do you understand that there's an
obligation to turn over evidence to the
prosecutor that may be exculpatory, meaning
that the criminal defendant may benefit
from getting it?

A. Yes, sir.

Q. Did you have a name for that

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

22

exculpatory evidence when you were working
as a detective?

A. No, not that I can remember.

Q. Was there any policy regarding
exculpatory evidence when you were working
as a detective?

A. No.

Q. Did you understand that you had
an obligation to record exculpatory
evidence and give it to the prosecutor to
ultimately be turned over to the criminal
defense attorney?

A. Yes.

Q. And how did you learn that?

A. Through the assistant district
attorneys we worked with.

Q. So the assistant district
attorneys would ask you, can you give me
the exculpatory evidence?

A. Yes.

Q. Besides that, did you have any
other instruction or training regarding
exculpatory evidence?

A. No, not that I can remember, no.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

23

Q. Now, at some point in your time as a detective, you learned how to make photo arrays?

A. Yes.

Q. How did you learn how to make photo arrays?

A. Probably through other detectives when I'd worked with them in the precinct.

Q. And when you make a photo array, was there a particular procedure that you were required to use?

A. Yes.

Q. And what was that procedure?

A. Well, you submitted, you submitted the person's photo, the suspect, the person of interest, you submit it for a picture of that person. You would go to ID, identification bureau, which was on the fourth floor at police headquarters or you would call them and talk to somebody there.

Q. Is it fair to say that the identification bureau had a collection of photographs of different people to be used in photo arrays?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

24

A. Yes, sir.

Q. Now, when you would make a photo array, would you be the one who actually made the choice as to which photographs were used as fillers?

A. Yes, sir.

Q. Now, you say there's this identification bureau on the fourth floor. Were the photographs in there organized in any particular way?

A. Not that I remember, no.

Q. If you were looking to find filler photographs, what process would you use at the identification bureau to do it?

A. Well, you would just go to the cabinet where they kept the photos and you'd just got to weed through them.

Q. You say the cabinet where they kept the photos. Were these just loose photos in a cabinet or were they organized in some fashion?

A. No, they're, basically, if I remember right, they were just loose.

Q. Did the photos have any kind of

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

information on them like the date they were taken or who it was?

A. Yes, sir, I believe so.

Q. Was that, for example, written on the back?

A. It could have been, yes.

Q. About how many photographs would you say were in the cabinet, if you can estimate?

A. Hundreds.

Q. And where did those photographs come from?

A. From when a person got arrested and charged with a crime, all their information would be sent up to identification bureau.

Q. Now, is it fair to say that you also learned how to do in-person lineups?

A. Very little. Very little.

Q. When you say "very little," what do you mean?

A. Like, I mean, you know, we weren't -- there were certain individuals, detectives, who were trained more in that

Bohen

26

1
2 than I was.

3 Q. Okay. In 1997, which detectives
4 were trained more than you were regarding
5 lineup procedures?

6 A. I would say -- you want name-wise
7 you mean?

8 Q. Yes.

9 A. I would say probably Detective
10 Andy Ortiz, Detective Juan Morales,
11 Detective Mark Stambach, maybe Detective
12 Charles Aronica, Detective Raniero
13 Massechia, and there might be others but I
14 can't recall them right now.

15 Q. When you would do a lineup, let's
16 say in 1997, would you call on one of the
17 five officers you just listed for advice on
18 how to do it?

19 A. Well, actually, I never put a
20 lineup together, you know.

21 We worked -- we always worked as
22 a squad. So most of the people within the
23 squad within the homicide unit would be
24 aware of cases going on. So they would
25 more or less handle those physical lineups.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

27

Q. So just to be clear, you never put a lineup together yourself?

A. No, sir, I did not.

Q. And was there more than one detective squad in the Buffalo Police Department?

A. Yes, sir.

Q. Were you assigned to a specific squad?

A. I was assigned to homicide unit.

MS. HUGGINS: Form. What year are you referring to?

Q. That was my next question.

From 1983 to 1997 when you retired, did you have more than one assignment within the detective squad?

A. Oh, yes, sir.

Q. Let's go back to the beginning. In 1983, where were you assigned?

A. Precinct number 8.

Q. And precinct number 8, did you have any particular duties as a detective there?

A. Yes, sir.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 28

Q. What were those, just roughly?

A. I investigated house burglaries, business burglaries, assaults, purse snatchings, larcenies, different larcenies, grand larcenies, petit larcenies, crimes within the precinct.

Q. Is it fair to say that certain felonies within the precinct would be investigated by detectives at the precinct and that for other crimes there may be a focused detective unit?

A. Yes, sir.

Q. Okay. So at some point you were assigned to the homicide unit?

A. Yes, sir.

Q. And when did you start at the homicide unit in Buffalo?

A. It would have been probably early part of 1997.

Q. So is it fair to say that you were assigned to the homicide unit less than a year?

A. Yes.

Q. Was working at the homicide unit

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

29

a promotion?

A. No, not really.

Q. When you were assigned to the homicide unit, did you get an increase in salary?

A. Well, you got more overtime pay so, but salary-wise it was basically the same.

Q. Is your pension calculated based on the overtime in your final year at the police department?

A. Yes, it is.

Q. So is it fair to say by working more time -- withdrawn.

Would it be correct to say that by working more overtime at the homicide unit, you were ultimately able to secure a better pension?

MS. HUGGINS: Objection. Form.

A. Yes, sir.

Q. Now, was there more than one shift at the homicide detectives unit at the Buffalo PD?

A. Yes, sir.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

30

Q. Is it fair to say that the day was divided into three parts?

A. Yes, sir.

Q. Which particular shift were you assigned to?

A. You worked all three.

Q. Okay. So it would alternate?

A. Yes, sir.

MS. HUGGINS: Form.

Just for accuracy, how many shifts were there on the homicide detective squad?

THE WITNESS: Oh, yeah. Actually there were only two. It was a day shift and the day shift went into the afternoon shift, the afternoon shift went into the evening. So there was two.

Q. Okay. And what were the times that demarcated between the day shift and the night shift?

A. The day shift was 0900 hours to 1600 and then it was 1600 to 0200.

Q. And from 0200 to 0900, there was

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

31

nobody working?

A. There was nobody working but you were at call.

Q. So if there was a homicide very early in the morning, for example, somebody would get called in for it?

A. Yes, sir.

Q. Okay. Now, when you worked at the homicide -- well, withdrawn.

Was there a specific name for this homicide detective unit?

A. No. Just --

MS. HUGGINS: Form. Just at what time are you referring?

Q. In 1997, was there any name for the homicide detective unit?

A. Just homicide.

Q. So when you were working at homicide in 1997, how many detectives were there total?

A. Off the top of my head, I got to say maybe ten.

Q. And was there somebody who was an immediate superior to the detectives at the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

32

homicide unit?

A. Yes, sir.

Q. And who was that?

A. That would have been Captain Joseph Riga and below him, second in command Lieutenant William Cornwall.

Q. So when you listed the ten people in the detective unit, were you including Joseph Riga and Cornwall?

A. No, I don't -- no.

Q. So there were ten detectives and then two superior officers?

A. Yes.

Q. In any given year, how many homicides -- withdrawn. Let's make it easier.

In 1997, how many homicides were there in Buffalo?

A. I believe 64.

Q. And, if you know, how many homicides were there in 1996?

A. No, I don't.

Q. Do you remember --

MS. HUGGINS: I'm sorry, I missed

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

33

the last question.

MR. RICKNER: I'm just wondering how many homicides there were in 1996, if he knew, in Buffalo.

MS. HUGGINS: What was your previous question before that?

MR. RICKNER: How many there were in 1997.

MS. HUGGINS: And then your next question is how many were in 1996?

MR. RICKNER: Right.

MS. HUGGINS: Sorry, I just couldn't hear you. Thank you.

Q. Do you remember anyone saying that 1997 was a particularly bad year for homicides?

A. No, not really.

Q. Is it fair to say to your knowledge that was roughly a normal number of homicides, unfortunately, in Buffalo?

MS. HUGGINS: Form. You can answer.

A. Yes.

Q. Is it fair to say that some of

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

34

the homicides would go to trial?

A. Yes.

Q. When a homicide was going to trial, would there be conversations about it at the homicide unit?

A. Yes.

Q. Is it fair to say that the officers would know when a homicide trial was going on?

A. Yes.

Q. Now, just for the record, since 1997, have you had any other jobs in law enforcement?

A. No.

Q. During your time at the Buffalo Police Department, were you ever disciplined?

A. Yes.

Q. Was any of that discipline for making a false or inaccurate statement?

A. No.

Q. Now, when you were working as -- withdrawn.

During your time at the Buffalo

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

35

Police Department, did you ever come to know somebody named Cory Epps?

A. Yes.

Q. Now, I know, and we'll go into it later, that ultimately Epps was placed into identification procedure, but prior to Epps being implicated in the murder of Tomika Means, did you know of Cory Epps?

A. No, sir.

Q. So is it fair to say that Cory Epps did not have a reputation in the police department to your knowledge?

A. To my knowledge, yes.

Q. Did you know somebody named Russell Montgomery?

A. No.

Q. Did you know -- during your time as a police officer or a detective, did you know somebody named Paul Pope?

A. No.

Q. Is it correct to say that at some point you were assigned to work on the homicide of Tomika Means?

A. Yes.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

36

Q. How did you receive that assignment?

A. It would have probably been through Captain Joseph Riga.

Q. And I don't know if you used this term in Buffalo, but "catch a case," do you know what I mean when I say that?

A. Yes.

Q. When you would catch a case, would it always come from your superior officer, Captain Riga?

A. Yes.

Q. And when you were assigned a case, was there some sort of formal procedure; you would get a packet, you would get a form, something you would get written down?

A. I don't recall that. But, you know, you would be informed what the circumstances are.

Q. Okay. When somebody was investigating a homicide, were the documents relating to the homicide collected in some place inside the homicide

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

37

unit?

A. Yes, they were.

Q. And would you have access to those documents?

A. Yes.

Q. So, for example, if you wanted to look up a prior witness statement, you could go to where those documents were stored and look it up?

A. Yes.

Q. Was there an index created of those documents, meaning did somebody start at report number one and write it down and then go all the way until the case was finished?

A. No, but whatever you personally did, whatever a detective did personally regarding that particular case, he had to record it and then you turned it in to the report technician who worked in our office and she put it in the file.

Q. What was the name of the report technician?

A. Marilyn Lanc.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

38

Q. Were there any other report technicians?

A. No.

Q. So would it be correct to say that Marilyn Lanc was responsible for keeping all of the documents and reports relating to a homicide in one file?

A. Yes.

Q. Did the files have numbers on them?

A. Yes, they did.

Q. Now, do you know if more than one copy of each file was created?

A. Not as far as I know.

Q. Going back to the murder of Tomika Means, when were you assigned to work on that investigation?

A. Probably it would have been shortly, maybe a day or two after the homicide.

Q. Now, when you worked as a detective, did you have a memo book?

A. Yes.

Q. Were these memo books assigned to

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

39

you by the department?

A. Not that I'm aware of.

Q. Did you have to buy your own?

A. No.

Q. When a memo book was full,
meaning that all of the pages had been
written on, would you store it someplace?

A. I don't remember that.

Q. When you retired, did you take
your memo books with you?

A. No.

Q. Did you leave them somewhere?

A. Left them at the office, probably
gave them to Marilyn Lanc.

Q. Do you know as you sit --

MS. HUGGINS: Do you know exactly
what you did with your memo books?

THE WITNESS: No, I don't.

Q. Was there any procedure for
storing memo books that were full or after
an officer retired?

A. Not that I'm aware of.

Q. This is going to sound stupid,
but what size were the memo books; were

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 40

these full-size, 8 1/2 by 11 pads or were these smaller?

A. Probably smaller. Probably, maybe eight inches long by three inches wide.

Q. So you could fit it in a large pocket?

A. Yes.

Q. Following a homicide investigation, would you turn over your memo book pages relating to that investigation to the district attorney?

A. Yeah.

Q. Would you actually rip them out or would you make a photocopy?

A. Probably, I probably would have ripped them out.

Q. Now, the murder of Tomika Means, is it fair to say it took place on a street or highway?

A. Yes, sir.

Q. Did you actually go to the scene of the crime?

A. No, I didn't.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

41

Q. After -- withdrawn.

Starting from the beginning, what was the first thing that you remember doing with regards to the Tomika Means investigation?

A. You know, the most vivid in my memory would be doing a photo array of the suspect. That's the biggest thing I remember.

Q. Which suspect?

A. Cory Epps.

Q. Is it fair to say that was in July of 1997?

A. Yes, sir.

Q. Do you remember the date that Tomika Means was murdered?

A. I believe it was in May, May 27th or something.

Q. So there were several weeks between the Tomika Means murder and the identification procedure involving Mr. Epps, is that correct?

A. Yes.

Q. Between those two times, do you

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

42

remember anything that you did with respect to the Tomika Means investigation?

A. No. Other than talk to several people, not necessarily witnesses, but people that sent information down to homicide.

Q. Okay. You said you spoke to several people. Can you tell me who you spoke to?

A. I believe it was, let's see, I believe it was Tomika Means's aunt and a friend of hers.

Q. A friend of Tomika Means or a friend of Tomika Means's aunt?

A. A friend of Tomika Means herself.

Q. Okay. Now, do you remember the name of Tomika Means's aunt?

A. No, not offhand.

Q. If I told you the name Linda, does that refresh your recollection?

A. Slightly, yes.

Q. Okay. Between the death of Tomika Means and the identification procedure involving Mr. Epps, how many

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

43

times did you speak with Tomika Means's
aunt?

A. How many times did I speak with
Tomika Means?

Q. Her aunt.

A. Oh, her aunt. As far as I can
recall, once.

Q. Was that in person or over the
phone?

A. No, I think it might have been in
person. I'm a little vague about it.

Q. When you worked at the Buffalo
Police Department Homicide Unit, was there
a document called the P-73?

A. Yes, sir, there was.

Q. What's a P-73?

A. That's a departmental
correspondence from me or any detective
that's doing an investigation with notes
that he took from his notebook and what was
corresponded to him and then you are
corresponding it to Captain Joseph Riga.

Q. Were these correspondence memos
the way that information regarding a

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

44

homicide investigation was stored, kept track of?

A. Yes.

Q. Besides the P-73, were there any other kind of memorandum or documents that were generated with regard to a homicide investigation?

A. Well, if you would, if you requested photos for a lineup, you would have to submit a paperwork form on that and anything that you submitted that you wanted information for, you had to submit a request for correspondence on it.

Q. Got it. Let me ask this question a different way.

Sometimes when you would speak with a witness, you would actually get a written witness statement, right?

A. At some point, yes.

Q. And there were other instances where you didn't get a written witness statement but you would record the conversation, sum and substance, in a P-73?

A. Yes.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 45

Q. Now, I'd like you to -- let's see if I can pull this out.

If you go to --

MR. RICKNER: I marked it as document number 9, Maeve.

MS. HUGGINS: Does it have a Bates number on the bottom of it?

MR. RICKNER: This one doesn't. It was part of the DA's file. It's the 7/7/97 -- well, you know what, it's this. I can do a screen share. There are two of them that look nearly identical. I just want to talk about the 7/7/97 one.

MS. HUGGINS: So, for the record, your office shared via email PDF forms, some of which were disclosed in discovery. I have printed all of those out and those are in front of the witness.

He is now referring to a log dated 7/7/97 and could you just identify it for the record what this log is?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

46

Q. Yes, that was my next question.

A. Yeah. This is what you did, what each detective did during his tour of duty. These are, you know, whatever information you gathered or whoever you talked with, you would put down on this paper.

Q. Got it.

Now, the title of this in the copy I got was cut off, but is there a name for this particular document?

A. I can't recall it, sir.

MR. RICKNER: Can we mark the 7/7/1997 log as Exhibit 1.

I did number them but that was not the numbers that I intend on using them. It felt like a smarter way to do it than just giving the names.

MS. HUGGINS: So for the purposes of the deposition, I've written the exhibit number on it for the witness. So we'll deem this Exhibit 1. If at some point we want to somehow mark them more formally, maybe at the end of the deposition on the record, I'm fine with

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

47

that, and then we circulate PDFs with the actual exhibit number on it, that might be most efficient.

MR. RICKNER: Well, the way I've been doing it is actually having the court reporter who also has identical copies of all of these documents -- I don't know if we do it at the end or concurrently, I don't really care, but I've been having him or her mark it as the depositions go on and then when they circulate the transcripts, they give us copies.

MS. HUGGINS: That's acceptable.

MR. RICKNER: Okay. But one thing, I don't know if this is your normal practice but it is my normal practice, I'm going to do consecutive deposition numbers, meaning that the first deposition document in the next deposition could be number 15, but I'm not going to be re-marking things.

So if we ever talk about Exhibit 1 again in a different

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

48

deposition, it's just going to be the same Exhibit 1 rather than re-marking things.

MS. HUGGINS: That's how I do it too.

MR. RICKNER: Great.

(Log dated July 7, 1997 was marked Exhibit 1 for identification)

Q. All right. Sorry to bore you with that, detective.

A. No problem.

Q. So here it says Sergeant Bratos, Detective Bohan, and Detective Minor in the upper left-hand corner of Exhibit 1, is that correct?

A. Yes.

Q. And this is going to Lieutenant Conwall, right?

A. Yes.

Q. Would this document actually be handed to Lieutenant Conwall?

A. No, it would have been turned over to the report technician.

Q. And it says -- it's from three

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

49

different individuals, that's correct?

A. Yes.

Q. So does this collect what all three of you did on that day?

A. Yes, could be.

Q. Were there some days where you would just individually submit one of these documents?

A. Yes.

Q. And is it correct to say looking at the bottom half, that this document records activities regarding multiple different cases?

A. Yes.

Q. In fact, only, I believe two of the five entries involve the Tomika Means murder?

A. Yes.

Q. Were these documents stored together, by which I mean, you know, every day all of the documents relating to these activities would be collected in one place or were they handed to different files depending on which files worked on or

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

50

anything else?

MS. HUGGINS: Form. You can
answer.

A. I'm not sure about that.

Q. Okay. Out of curiosity, do you
know if Marilyn Lanc is still alive?

A. No, I believe she passed away.

Q. So just looking at the bottom
entry, is it correct to say that this
reports the discussion that someone had
with Linda Means?

A. Yes.

Q. And it says she called at 23:30?

A. Yes.

Q. Now, it lists four initials at
the bottom, is that correct?

A. Yes, sir.

Q. And it's fair to say that that's
the initials that correspond to Bratos,
Bohen, and Minor?

A. Yes, sir.

Q. From this entry, can you tell me
who spoke with Linda Means?

A. No, it doesn't specifically say.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 51

Oh, I don't know who specifically talked.

Q. Just to be clear, do you remember speaking to Linda Means at any point?

A. Vaguely. I mean, this might have been my conversation with her but I'm not 100 percent sure.

Q. Now, just going back, so we discussed your memo book.

A. Yes.

Q. Now, when you would have a conversation with a witness, would you make notes in your memo book?

A. Either that or on a piece of paper, you know, you carried a note -- not a notebook but you carried blank pieces of paper.

Q. When you say blank pieces of paper, do you actually mean --

A. Like notebook paper.

Q. By notebook paper, do you mean loose leaf, like it's not connected on one edge?

A. Yes, sir.

Q. So we've discussed that you kept

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

handwritten notes, that there's the forms
such as Exhibit 1, there's P-73s, and
there's also witness statements.

Besides those four sets of
documents, were there any other places that
you would record conversations that you had
with witnesses?

A. No, I would say that would be it.

Q. All right, so just going to go
back in time a bit.

MR. RICKNER: I'd like to mark as
Exhibit 2 the Buffalo Police Department
Intra-Departmental Correspondence dated
June 9, 1997.

MS. HUGGINS: June 25, 1997?

MR. RICKNER: No, the 9th.

MS. HUGGINS: Oh, the 9th. Hang
on.

Can you just give me a moment,
I'm going to get a different colored
pen.

MR. RICKNER: Actually, if we
could go off the record for two
minutes.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

53

(Buffalo Police Department
Intra-Departmental Correspondence dated
June 9, 1997 marked Exhibit 2 for
identification)

(Pause)

MR. RICKNER: Thank you very
much.

Q. Detective, is Exhibit 2 an
example of a P-73?

A. Yes, it is, sir.

Q. Now, when you drafted this
document, did you use a typewriter?

A. Yes, I did.

Q. Where were the typewriters
located at the homicide unit?

A. In the homicide office.

Q. Okay. Do you remember how many
typewriters there were?

A. There were as many as there were
detectives.

Q. Did you have your own or was
there just enough to go around?

A. We had enough to go around, so I
had my own.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

54

Q. Okay. Now, is it fair to say that sometimes -- well, withdrawn.

If you had -- when you were in the field, did you have access to a typewriter?

A. No.

Q. So when you needed to draft a P-73, how would you go about recording information?

A. Well, you would, when you were in the field, you took your notes, you know, on paper and then when you got back to the office, you would put them, you know, type them up.

Q. And would you hold on to your original notes as well?

A. Probably for a while.

Q. But you might throw them away?

A. No, never.

Q. Okay. So where would you put them?

A. Keep them with you or you would turn them over to Marilyn Lanc.

Q. Now, going back to Exhibit 2, if

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

55

I'm reading this correctly, there was a witness that was brought to your attention by another officer, is that correct?

A. Yes.

Q. Now, can you tell me from looking at this document, who was the witness that was brought to your attention?

A. Well, I don't -- I don't know if he was, if you could say he was a witness. I think he was more of a possible suspect or person of interest, and his name was Donald Faison.

Q. Now, can you tell me where the name Donald Faison first originated in the investigation?

A. Well, it was two patrol officers who stopped him at a traffic stop and they wrote the information down and then they forwarded it to the homicide office for my attention.

Q. Now, can you tell me what about the traffic stop made you or the officers believe that Donald Faison might be involved in the murder?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

56

MS. HUGGINS: Form. He can
answer.

A. It's just the idea that he was a
person of interest.

Q. How did Donald Faison become a
person of interest?

A. I think probably because of his
physical makeup and maybe the car that he
was driving -- that he was riding in. It
just kind of caught the officer's eye.

Q. Is it correct to say that a
composite of the assailant in the Tomika
Means murder was generated at some point?

A. Yes.

Q. Now, those composites, were they
circulated fairly widely inside of the
homicide unit?

A. Yes.

Q. Was there a board where all of
the composites for the current cases were
hung up on, for example?

A. We did have that, yes.

Q. And did you have a board like
that also for the other officers so they

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

57

would know who you were looking for?

A. For the detectives?

Q. Oh, I mean besides the
detectives. Just ordinary police officers.

A. No.

Q. I guess what I'm trying to ask
is, these patrol officers who brought
Donald Faison to your attention, how would
they have known it looked like the
assailant that you were looking for in the
Tomika Means murder?

A. Probably, might have been a radio
call out, and I don't know by who, but, you
know, stating that there was a shooting
that happened and there was this car and an
individual in the car might have been part
of the shooting.

MS. HUGGINS: Form as to the last
question.

MR. RICKNER: I'd like to mark
two documents. So one of these
documents has the Bates stamp 953, and
let's make that -- that's number 17
that I marked on the file but it's

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

58

going to be our Exhibit 3.

And then number 12 which has the
Bates stamp 986, that's COB 986, I'd
like to mark as Exhibit 4.

You know what, I marked the wrong
one. My apologies. To avoid the
record being unclear, Exhibit 5, let's
do COB 981.

(Discussion off the record)

MS. HUGGINS: What did you say
would be Exhibit 3 and 4?

MR. RICKNER: Exhibit 4 is COB
986.

MS. HUGGINS: Let me look for
that first.

(Discussion off the record)

MS. HUGGINS: Number 3 is going
to be 986?

MR. RICKNER: No, number 3 is 953
and 981 is Exhibit 5 and then Exhibit 4
is the blue one.

MS. HUGGINS: Okay, Exhibit 4 is
986.

MR. RICKNER: Yes.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 59

MS. HUGGINS: Okay. So repeat
Exhibit 3 again.

MR. RICKNER: 953.

(Discussion off the record)

(Buffalo Police Department
Intra-Departmental Correspondence dated
July 3, 1997 marked Exhibit 3 for
identification)

(Photo Spread Information, Bates
No. COB 986 marked Exhibit 4 for
identification)

(Buffalo Police Department
Intra-Departmental Correspondence dated
June 24, 1997 marked Exhibit 5 for
identification)

Q. Taking a look at Exhibit 5, can
you tell me what this is?

A. This is a request for photos to
be placed in a photo array.

Q. Now, at the top and at the bottom
it has your name?

A. Yes.

Q. Does that indicate that you
created this photo array?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

60

A. Yes.

Q. Now, there is Donald Faison's name and then a mug number 215197?

A. Yes.

Q. Does that indicate that you had a mug shot of Donald Faison from some earlier arrest?

A. Yes. From his, yes.

Q. Right. Now, there's also a list of five other mug numbers.

Do you see that?

A. Yes, sir.

Q. Does each one of those correspond to a photograph that would be placed in a photo array as a filler?

A. Yes, sir.

Q. Now, I'd like to look at Exhibit 4. Can you identify this for the record?

A. This is a -- it looks like a copy of the blue cardboard papers we used to show the photo array.

Q. Okay. Were there sort of blanks that you would then fill in or clip in the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

61

photos?

A. Yeah, there were slices where you could slip each photo down into, you know, onto the page.

Q. Got it.

So if you look at Exhibit 2 -- or if you look at page 2 of Exhibit 4, rather, would it be correct to say that these photos are loose but sitting in little pockets on this blue sheet?

A. They may be loose, but it's very possible that at times personally, myself, I would slightly glue them so they wouldn't get jostled and moved around.

Q. Got it.

Now, these blue folders, how many pages were they? Was it one sheet that folded in half?

A. No, it was two separate pieces. One would be the -- the front page would be basically what, you know, it shows the CD number which is the complaint number, the officer that requested it, the unit and the list of mug shots.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

62

The second page would be the actual photos that were used in the array.

Q. Were these two pages attached in some way?

A. No, you attached them at some other time with the staple.

Q. Got it.

Now, what is the CD number?

A. That's complaint desk number. When somebody calls 911, each call coming in is given a number which is the complaint desk number.

Q. Okay. So just going back to Exhibit 2 for a moment. If you look at the top, there's a file number?

A. Yes.

Q. Now, that file number is 97-083, is that correct?

A. Yes.

Q. That's different from the complaint desk number?

A. Yes, sir.

Q. And going back to Exhibit 4, the mug numbers, those correspond with the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

63

different photographs?

A. Yes, sir.

Q. And so here, Donald Faison, comparing Exhibit 5 and Exhibit 4, would have been in slot number 5?

A. Yes, sir.

Q. Once you were done creating a photo lineup, what would you do with it?

A. You mean after you had showed it to the witness or --

Q. Yeah -- no, after you are finished with it, after you have shown it to a witness, what would you do with it?

A. You would turn it over to the report technician and she would put it in the large file.

Q. So would it be correct to say that every photo lineup that was performed during an investigation would eventually become part of the file?

A. Yes, sir.

MR. RICKNER: I'd like to mark as Exhibit 6, COB 119, it's a P-73 dated June 25, 1997.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

64

MS. HUGGINS: Exhibit 6?

MR. RICKNER: Yes.

(Buffalo Police Department
Intra-Departmental Correspondence dated
June 25, 1997 marked Exhibit 6 for
identification)

Q. Can you please identify Exhibit 6
for the record?

A. Yes. It's a Buffalo Police
Department Intra-Departmental
Correspondence for a photo array being
shown to a witness.

Q. Now, is it correct to say that
based on this document, on June 25, 1997,
you showed a photo array to Jacqueline
Bradley?

A. Yes, sir.

Q. That photo array contains Donald
Faison?

A. Yes, sir.

Q. And, in fact, the photo array
that you showed her is currently marked as
Exhibit 4?

A. Yes, sir.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

65

Q. Do you remember showing this photo array to Jacqueline Bradley?

A. No, I don't recall it. But I would have to say I was there.

Q. Okay. In general, what was the procedure by which you showed a photo array to a witness, meaning what steps did you actually take in presenting it to them and letting them review it?

MS. HUGGINS: Form. You can answer.

A. Well, we would ask the witness if she wore glasses or he wore glasses. We'd make sure the lighting in the room was sufficient. We would tell them once you open up the photo array, take your time, look it over carefully, and if you see the party that you say caused the problem or that you witnessed doing something wrong, point to that person.

Q. Was there a certain period of time that you would let them look at it?

A. Well, just at their will.

Q. Based on Exhibit 6, can you tell

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

66

me where Jacqueline Bradley was when she reviewed Exhibit 4?

A. I would say that she was at her home.

Q. Would you typically record where a photo array was shown to a witness?

A. Yes.

Q. Now, going back to Exhibit 5, there's a date on the top right-hand corner?

A. Yes.

Q. Does that indicate the date that you made your request for a photo array?

You know what, let me withdraw that question.

Which comes first, Exhibit 4 or Exhibit 5, meaning which would be created by you first in the photo array process?

A. I would say Exhibit 5.

Q. So you start out by making the request and then you actually fill out the photo array itself?

A. Yes, sir.

Q. Now, looking at Exhibit 4,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

67

there's a remark that says, "Photo array
set up 6-24-97"?

A. Exhibit 4?

Q. Yes. The blue one.

A. Okay. Okay, yes.

Q. Does that mean that you actually
put together the photo array on that date?

A. Yes. 6/24, yes.

Q. After you showed Jacqueline
Bradley the photo array, did you ask her if
she knew Donald Faison?

A. No, I don't believe I did.

MR. RICKNER: I'd like to mark as
Exhibit 7, the handwritten P-73 Bates
stamped COB 90.

MS. HUGGINS: Undated Bates stamp
COB 90 is Exhibit 7?

MR. RICKNER: Yes, that's
correct. It's undated.

(Buffalo Police Department
Intra-Departmental Correspondence,
Bates No. COB 90 marked Exhibit 7 for
identification)

Q. Now, detective, would it be

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

68

correct to say that Exhibit 7 was the document you got regarding Donald Faison?

A. Yes, sir.

Q. Besides this document, did you talk to the police officers?

A. You know, I don't recall that.

Q. Now, there's a notation on the right. It says, "John, here's the info on the guy we stopped. Thanks, Mary."

A. Yeah, it's Marty.

Q. Marty, got it.

Would that be Marty Sentiff?

A. Sentiff, right.

Q. Gotcha.

MR. RICKNER: I'd like to mark as Exhibit 8, this is the second of the activity reports, it's dated June 26, 1997.

(Buffalo Police Department Activity Report dated June 26, 1997 marked Exhibit 8 for identification)

Q. This is similar to the activity reports that we discussed beforehand?

A. Uh-huh.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 69

MS. HUGGINS: For the benefit of the court reporter, um-hums are difficult to report. A yes or no is better.

A. I'm sorry. Yes.
Q. Now, this says from Detective Callari and Detective Bohen.

Do you see that?
A. Yes.
Q. Would that indicate that you and Detective Callari were working together that day?

A. Yes, sir.
Q. Did you have a partner, meaning somebody that you were assigned to work with regularly?

A. Yes, that would be Reginald Minor.
Q. Okay. And that is a formal designation, meaning that you would say, "Detective Minor is my partner"?

A. Yes.
Q. In the Tomika Means homicide, was there a lead detective?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

70

A. No, not really. We all kind of shared information and, you know, there wasn't a so-called lead detective.

Q. Was there one person who was directing how the homicide was investigated or what your next steps were, something like that?

A. I would say Lieutenant Conwall or Captain Riga.

Q. Okay. So would it be correct to say that it's a small department and therefore the supervisors were hands on in the homicide investigations?

A. Yes.

MS. HUGGINS: Are you saying it was all one case?

Q. Yeah, I mean, I think the answer is no, right, it belonged to everyone, is that fair to say?

A. Well, let me specify.

Q. Okay.

A. If we got called out to a scene, homicide scene, you had one officer who would record the scene itself and the other

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

71

detectives that were there, they would talk to witnesses or canvass the area.

Q. Now, the detective that took information about the scene itself, would they have any particular role going forward in the investigation?

A. Not really. You know, just whatever information you as the scene officer or -- received, you know, you would always put that down on a P-73.

MS. HUGGINS: I think there's just a confusion in terminology. You were asked earlier about catching a case. What did that phrase mean to detectives at that time?

THE WITNESS: We didn't use that at that time. That was NYPD I think.

Q. Yes, that would be correct.

So maybe I shouldn't have been confused, but we discussed earlier that you were assigned to work on this case by one of your superior officers, is that right?

A. Yes, sir.

Q. But there wasn't any --

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

72

withdrawn.

Besides your superior officers, there wasn't one person whose case this was who was the lead or the primary detective on it, is that correct?

A. Yes, sir.

Q. Going back to Exhibit 8, now, looking at the second entry, it says 1920 hours.

Do you see that?

A. Yes.

Q. Is that for a different case or is that part of the Tomika Means homicide?

A. I believe that was a different case.

Q. So going one entry up, there's a notation about getting a phone call from the aunt of the victim, Linda Means, is that correct?

A. Yes, sir.

Q. And over the phone she stated that she thought that the suspect looked like Cory Epps?

A. Yes, sir.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

73

Q. Did you ever interview Linda Means?

A. Not that I can remember.

Q. Did you ever find out how she knew Cory Epps?

A. Not that I can remember, no.

MS. HUGGINS: Form. For clarification, just the use of the word interview.

MR. RICKNER: Yes.

MS. HUGGINS: I have an objection.

Q. What is an interview?

A. What is an interview?

Q. Yeah.

A. It's when you talk to somebody, talk to a witness or the victim themselves.

Q. Now, we've discussed two phone calls that you had with Linda Means, is that fair to say?

A. Yes.

Q. Did you ever sit down with Linda Means in person and have a discussion about Cory Epps?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

74

A. I don't recall that.

Q. And did you ever investigate how she may have known Cory Epps?

A. I don't recall that.

Q. What is a frap, F-R-A-P?

A. I don't know.

Q. Okay. And just to be clear, I'm taking this from the entry on Exhibit 8.

A. Yes.

Q. Does that refresh your recollection?

A. No, I just don't recall what it stands for.

Q. Do you remember whether you or Detective Callari spoke with Linda Means?

A. No, I don't.

Q. Now, let's skip ahead a little bit.

MR. RICKNER: Let's mark the other blue ID sheet, the one that has Cory Epps's photo, as Exhibit 9.

MS. HUGGINS: 951?

MR. RICKNER: 948. COB 948.

(Photo Spread Information, Bates

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

75

No. COB 948 marked Exhibit 9 for
identification)

Q. Detective, going back to
Exhibit 3 and looking at Exhibit 9, is it
correct to say that you created the photo
array with Cory Epps in it?

A. Well, what I'm looking at,
Exhibit 9, it doesn't have my name on the
cover sheet, it has another detective's
name.

As far as Exhibit 3, it looks
like I requested the photos and they were
requested by me but, like I say, Exhibit 9,
on the actual array, that shows a different
officer and my name is nowhere on it.

Q. Okay. So let's step back for a
second. Looking at Exhibit 3, it's fair to
say that this has your name and signature
on it?

A. Yes.

Q. And it's dated July 3, 1997?

A. Yes, sir.

Q. And as we discussed before, the
BPD mug number in the top paragraph

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

76

corresponds to the mug shot of the person who might or might not be identified in the array?

A. Yes.

Q. The the bottom has the fillers, right?

A. Yes.

Q. Now, when you went to the cabinet of photographs to pick out the fillers, would you actually take the individual photos as you found ones that you thought were suitable?

A. Yes.

Q. And then you would write down on a document like Exhibit 3 which numbers corresponded to those fillers?

A. Yes.

Q. So when you were asking to create the photo array, would you come by with the actual photos and this document and say, I need this put together into a photo array?

A. Well, actually, I would put the photos in the array.

Q. Okay. Well, looking at

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 77

Exhibit 9, I think we've discussed that the front page does not have your name on it?

A. No.

Q. It has an Officer Morales?

A. Yes.

Q. Do you remember Officer Morales's first name?

A. Juan.

Q. But just to be clear, if you compare Exhibit 9 and Exhibit 4, it contains the same CD number, meaning 100-714?

A. Let me look. Yes.

Q. And based on that plus the other documents, we know that Exhibit 9 was also created with respect to the Tomika Means homicide, right?

A. I'm assuming, yes.

Q. Well --

MS. HUGGINS: We don't want you to assume.

THE WITNESS: Okay.

MS. HUGGINS: Could you repeat the question for him?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

78

Q. Was Exhibit 9 created with respect to the Tomika Means homicide?

A. Yes.

Q. Now, do you know why Officer Morales's name is on the photo array?

A. Well, he was part of the unit and he might have picked the pictures to do this array and he might have set this array up. I would say he probably did set it up.

Q. Okay. Well, looking at Exhibit 3, it's fair to say this is a request for a photo array that contains a photograph of Cory Epps, right?

A. Yes, sir.

Q. And you picked out the fillers for this photo array, right?

A. Yes, sir.

Q. But ultimately it appears that you didn't actually put them into the slots?

A. Well, not this particular array that I'm looking at.

Q. Well, based on Exhibit 3 and Exhibit 9, is it possible that there was

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 79

more than one photo array created with Cory
Epps in it?

A. There's possible, but not that I
was ever made aware of.

Q. Okay. Well, I'd like you to look
at Exhibit 9.

A. Okay.

Q. And would it be fair to say that
there is a list of mug numbers?

A. Yes, sir.

Q. Now, the first mug number is
212522?

A. Yes.

Q. I'd like you to look at
Exhibit 3.

Does that mug number appear on
Exhibit 3?

A. No, it doesn't.

Q. And I'd like you to look at
number 2, it's 188001.

Do you see that?

A. Yes.

Q. And I'd like you to look at
Exhibit 3. Do you see that mug number?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

80

A. No, sir.

Q. Now, again, on Exhibit 9, there's
mug number 187356.

Do you see that?

A. Yes.

Q. And does that appear on
Exhibit 3?

A. 187356. No.

Q. Based on these discrepancies, is
it correct to say that there were two photo
arrays containing Cory Epps that were
created?

MS. HUGGINS: Form. You can
answer.

A. Yes.

Q. Now, on Exhibit 4 there was a
date as to when the photo array was
created, is that correct?

A. Yes.

Q. Is there another location on the
photo array where a date is typically
recorded? And I mean a date that the photo
array was created, not the date that the
mug shots were taken.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 81

A. No, not actually, no, just under remarks.

Q. And this isn't a trick question, I'm actually wondering if there's something I'm not seeing that elsewhere in this document there's a date that corresponds to when the photo array was created.

A. Excuse me?

Q. I said, this isn't a trick question.

I'm actually honestly curious, is there someplace else on Exhibit 9 where maybe you're seeing a date or indication as to when the photo array was taken that I may not see?

A. No.

Q. Now -- sorry. One second.

MR. RICKNER: Now, I'd like to mark the, let's see, it's a P-73 with the date 7/7/97, Bates number on the bottom right is COB 123.

MS. HUGGINS: And that will be Exhibit 10?

MR. RICKNER: Yes.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

82

(Buffalo Police Department
Intra-Departmental Correspondence dated
July 7, 1997 marked Exhibit 10 for
identification)

Q. Now, Exhibit 10 is a P-73 that
was created by you?

A. Yes, sir.

Q. You typed this up yourself?

A. Yes, sir.

Q. Going back to July 6th of 1997,
do you actually have a recollection
independent of anything you've read in
these documents of the interview with
Jackie Bradley on that date?

A. No, not really.

MS. HUGGINS: And when you said
these documents, are you referring to
all of the exhibits or just the exhibit
in front of him?

MR. RICKNER: All of the
exhibits. Or any other document for
that matter.

MS. HUGGINS: So answer that
question based on all the exhibits in

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

83

front of you, do you have an
independent recollection of these
events?

A. Yes, yes.

Q. Okay. No. So is it fair to say
that some of the documents that you've
reviewed have refreshed your recollection?

A. Yes.

Q. So with that refreshed
recollection, without reading or
reiterating what you see in a specific
document, what do you remember about the
July 6, 1997 interview with Jacqueline
Bradley?

MS. HUGGINS: Independent of the
documents, he's asking.

A. Going to her house along with
Detective Minor and showing her a photo
array.

Q. Besides that, do you remember
anything else about that day?

A. No.

Q. Do you remember who was with
Jacqueline Bradley, if anyone, when you got

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

84

to the house?

A. No.

Q. Would it be your practice to do a photo array without family members around?

A. Yes.

Q. Besides Detective Minor, did anyone else go with you?

A. No.

MS. HUGGINS: Are you asking independent of his independent recollection?

MR. RICKNER: Period. Full stop. Any source of information.

Q. Besides Detective Minor, did anybody else from Buffalo PD go with you to see Jacqueline Bradley on July 6, 1997?

A. No.

Q. Is it correct to say that you showed a photo array to Jacqueline Bradley?

A. Yes.

Q. Looking at Exhibit 9, do you know whether or not this specific photo array is the one that you showed to Jacqueline Bradley?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

85

A. I would say it was the one I showed her because of the mug numbers.

Q. Well --

A. Well, I should say his mug number appears on Exhibit 9.

Q. Right. Well, would it be correct to say that any photo array that contains Cory Epps would also have his mug number listed?

A. It should.

Q. Right. But with regard to the fillers, do you know if the fillers in Exhibit 9 are the same fillers that were in the photo array that was shown to Jacqueline Bradley?

A. I'm not sure on that.

MR. RICKNER: Now, I'd like to mark a handwritten, it's a handwritten one page, mark this as Exhibit 11. And it's got the Bates stamp COB 958.

(Handwritten notes dated July 6, 1997 marked Exhibit 11 for identification)

Q. Is Exhibit 11 a document with

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

86

your handwriting?

A. It's my printing, yes.

Q. You're differentiating between
cursive and printed?

A. Correct.

Q. But you wrote this?

A. But I wrote it, yes.

Q. Did you take this
contemporaneously with your interview of
Jacqueline Bradley?

A. Yeah, yes.

Q. Roughly the same time, maybe not
identical, but similar?

A. Correct, yes.

Q. Now, is this a page from your
memo book?

A. No, I wouldn't think so. I would
believe it was just a piece of paper, you
know, like a three-ring piece of paper that
I carried.

Q. So your memo books were a bit
smaller?

A. Yes.

Q. Now, following Ms. Bradley's

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

87

identification of Cory Epps in position
number five --

A. Yes.

Q. -- did you tell Jacqueline
Bradley the name of who she identified?

MS. HUGGINS: Can you read the
question back.

(Question read)

MS. HUGGINS: I just want to make
sure I understand your question.

MR. RICKNER: My question isn't
good. I'm going to redo it.

MS. HUGGINS: Yeah, that's fine.

Q. After Jacqueline Bradley made the
identification, did you tell her that she
had identified Cory Epps?

A. I believe I did.

Q. And prior to you telling her the
name Cory Epps, had you ever heard her say
that name?

A. No.

Q. Prior to her identifying Cory
Epps, did you ever ask her if she knew Cory
Epps, prior to?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

88

A. No.

Q. Did Detective Minor ever ask her if she knew Cory Epps prior to the identification procedure?

A. I don't know.

Q. Fair to say that you don't remember it happening in your presence?

A. Yes.

MR. RICKNER: There's one more in this sequence that I'd like to mark. There's an affidavit, it's got COB 4, and let's just mark this as Exhibit 12.

(Photo-Array Identification Affidavit dated July 6, 1997 marked Exhibit 12 for identification)

Q. Can you identify Exhibit 12 for us, please, detective?

A. Yes, it's a Department of Police, City of Buffalo, it's a Photo-Array Identification Affidavit.

Q. Is it fair to say that the sections above the signature block were filled out by you?

A. Yes.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

89

Q. That's your handwriting?

A. Yes.

Q. Now, in section A, it says the photo number that was picked and, you know, the significance of the criminal act, is that correct?

A. Yes.

Q. Okay. Now, in the bottom line it says, "I was told by the above police officer that the name of the person in the photograph is" and then handwritten in is "Cory Epps"?

A. Yes.

Q. Was it standard procedure to tell witnesses the name of the person that they had identified?

A. I don't know if it was procedure, but it was kind of, if you wanted to, I think.

Q. Okay. Were there some instances where the name of the person who was identified was left out of one of these affidavits, you'd leave it blank?

MS. HUGGINS: Form of the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

90

question. You may answer.

A. Possible.

MR. RICKNER: All right. You want to go off the record for a few minutes? I'm actually getting pretty close to being finished.

MS. HUGGINS: Let's go off the record and talk about timing for the day.

(Discussion off the record)

(Recess)

EXAMINATION CONTINUED

BY MR. RICKNER:

Q. Detective, in 1997, was there an establishment in Buffalo called Birchfield's?

A. Yes.

Q. What was Birchfield's?

A. That was a tavern.

Q. When you say tavern, do you mean that it's a place that you could drink, right?

A. Yes, a bar.

Q. A bar?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

91

A. Yes.

Q. Could you also get food there?

A. Yes, I believe you could.

Q. Was there dancing, and by that, I mean a dance floor?

A. That I'm not sure. I know people probably danced there. But I was never personally there.

Q. Okay. Did Birchfield's have any particular reputation at the Buffalo Police Department in 1997?

A. Not that I'm aware of.

Q. Did you ever arrest anybody outside of Birchfield's?

A. No.

Q. Were you aware of the fact that Cory Epps had an alibi with respect to where he was during the Tomika Means murder?

A. No, I'm not.

Q. Okay. Did you do anything to investigate any alibis that Cory Epps had?

A. No, I didn't.

Q. Cory Epps was placed in a lineup,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

92

is that correct?

A. Yes.

Q. Were you there when he was placed
in a lineup?

A. No.

MR. RICKNER: I'd like to mark
as, I guess we're up to Exhibit 13, the
testimony, I think it's Epps 1022
through 1038.

(Trial testimony of Detective
Bohen, Bates Nos. Epps 1022-1039 marked
Exhibit 13 for identification)

Q. Do you see that?

A. Yes.

Q. Prior to the deposition, did you
review your testimony in Exhibit 13?

A. I'm not sure if I did.

MS. HUGGINS: Well, did you look
at it today before you started
testifying?

THE WITNESS: Oh, yes, I thought
you meant originally. I did, yeah.

Q. Looking at your testimony in
Exhibit 13, did you see anything that was

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

inaccurate?

MS. HUGGINS: If you want to take
a moment to look through it again
before you answer, you can.

THE WITNESS: Sure.

(Pause)

A. On the first page on the backside
of it, there was a mistake on the question
number 21, it says, "On June 6th of this
year did you have occasion to show that
photo array," and my answer which is 24, it
says, "I thought it was July 6th that I
showed this."

And 25 says, "I believe that's
what I stated."

And the next page, the court
said, "No. Excuse me. You said June 6th."
And Ms. Carrington, "I'm sorry. Yes, July
6th."

So that's one.

Q. Okay. Now, is it correct to say
that there was some confusion at that time
as to whether or not somebody said June or
July?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 94

A. I don't know. I don't know why she would have said that.

Q. Put it this way, is the transcript to your knowledge inaccurate in that respect?

A. Well, this transcript is -- and with that part is inaccurate but then it was clarified.

Q. Okay. So is it correct to say that the transcript accurately describes the back and forth that ultimately led to the clarification?

A. Yes.

Q. Besides that, do you see any other instances where there's -- withdrawn.

Besides what we just discussed --

A. Let me look for a minute.

(Pause)

A. Are you talking about what we just discussed about the date-wise?

Q. Let me just finish my question.

Besides the date section that you just identified for the record, do you see anything else in Exhibit 13 where your

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

95

testimony was inaccurate?

A. Okay, let me look.

(Pause)

MS. HUGGINS: If you don't mind
just reading the last question back to
the detective.

MR. RICKNER: Actually, I'd like
to do it slightly different.

Q. Is it fair to say you spent about
15 minutes reviewing your prior testimony?

A. Yes.

Q. Now, besides the incident that we
discussed earlier where there was confusion
between June and July, did you see anything
else inaccurate in your testimony in
Exhibit 13?

A. No, I didn't.

Q. Do you stand by that testimony
today?

A. Yes.

Q. Do you -- well, do you still live
in Buffalo?

A. I live outside of Buffalo.

Q. In the general area?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

96

A. Yes.

Q. Do you subscribe to any Buffalo newspapers?

A. No, I don't.

Q. Do you watch the local news?

A. Yes.

Q. Did you see newspaper or -- withdrawn. I'll ask it more broadly.

Did you see on the news that Cory Epps had been released from prison?

A. No, I didn't.

Q. Did anybody call you to say Cory Epps had been released from prison?

A. No.

Q. Would it be correct to say that the first time that you learned that Cory Epps had been exonerated was when you heard about this lawsuit?

A. Yes.

Q. Now, there's a district attorney in this case in 1997, right?

A. Yes.

Q. Okay. Now, would you talk to the district attorney with respect to what you

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

97

discovered in a homicide?

A. Yes.

Q. Would that be a continuous process throughout an investigation?

A. Yes.

Q. Did you understand that you had an obligation to -- withdrawn.

Would you tell the district attorney everything that you had learned during your investigation?

A. Yes.

Q. And the district attorney would also be provided with documents relating to the investigation, right?

A. Yes.

Q. Do you know who handled that?

A. Who was the district attorney?

Q. No, who gave documents to the district attorney?

A. Oh, I would say she was -- he or she would come to the office and they were given the documents that were in the file. So it would probably be Marilyn Lanc.

Q. Okay. Where was the homicide

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

98

unit physically located?

A. At 74 Franklin Street in the City of Buffalo on the second floor.

Q. Okay. Where was the district attorney's office in 1997?

A. That was at the county office building on Delaware Avenue. I believe it's -- oh, I don't know the address number-wise.

Q. How far away was the district attorney's office?

A. About three blocks.

Q. Now, I'd like to go back to your memo book, and we discussed that you would carry around loose sheets of paper but also that you had an eight-by-three, approximately, notebook, right?

A. Yes, sir.

Q. What did you call that notebook?

A. Notebook.

Q. Okay. When you would take notes regarding a particular homicide, would you keep them all in the same spot in the notebook?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

99

A. No.

Q. Would you keep information about more than one case on the same page in a notebook?

A. Possibly, yes.

Q. You mentioned that sometimes you would tear sheets out of the notebook?

A. Yes.

Q. Would you also leave some sheets in the notebook?

A. Yes.

Q. So earlier on we discussed sort of when a notebook would get full.

Would there come a time when you ran out of blank notebook pages?

A. I personally didn't, but I'm sure there would be.

Q. Okay. Well, so let's put it differently.

Would it be correct to say that you weren't in the detectives unit to actually fill or completely use up a single notebook?

A. That's possible, yes.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 100

Q. Did you see other detectives run out of pages in their notebook?

A. No.

Q. Okay. We'll have other detectives to talk to to clarify the rest of that.

Have you ever heard the name Wymiko Anderson?

A. No.

MR. RICKNER: First, I guess I would ask opposing counsel, do you have any questions that you would like to ask?

MS. HUGGINS: I don't believe so but give me one moment to look at my notes.

MR. RICKNER: Sure.

EXAMINATION

BY MS. HUGGINS:

Q. Detective, do you presently have an independent recollection of why Detective Morales's name appears on Exhibit 9?

A. No, I don't.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen 101

MS. HUGGINS: I don't have
anything further.

RE-EXAMINATION

BY MR. RICKNER:

Q. Detective, you've been testifying
off and on for approximately three hours,
is that fair to say?

A. Yes.

Q. Thinking back to your testimony
that you've given today, is there anything
that you'd want to correct?

A. Not that I can think of.

Q. It is fair to say that you've
told the truth, the whole truth, and
nothing but the truth today?

A. Yes, sir.

MR. RICKNER: Then I have no
further questions.

You know what, before I say that,
Glenn, do you have anything else you
want to talk offline for a second or
are we good?

MR. GARBER: We're good. Thank
you, Rob.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Bohen

102

MR. RICKNER: Okay.

MR. GARBER: Hello, everybody, by
the way. I remain as a dark screen for
now.

(Discussion off the record)

(Time noted: 2:07 p.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

JOHN BOHEN

Subscribed and sworn to
before me this day
of 2021

CERTIFICATE

STATE OF NEW YORK)

) ss.

COUNTY OF NEW YORK)

I, Joseph B. Pirozzi, a Registered Professional Reporter and Notary Public within and for the State of New York, do hereby certify:

That JOHN BOHEN, the witness whose deposition is hereinbefore set forth, was duly sworn by me and that such deposition is a true record of the testimony given by such witness.

I further certify that I am not related to any of the parties to this action by blood or marriage and that I am in no way interested in the outcome of this matter.

JOSEPH B. PIROZZI, RPR

January 19, 2021

INDEX

WITNESS	EXAMINATION BY	PAGE
John Bohen	Mr. Rickner	6
	Ms. Huggins	100
	Mr. Rickner	101

EXHIBIT	PAGE
---------	------

Exhibit 1	48	Log dated July 7, 1997
Exhibit 2	53	Buffalo Police Department Intra- Departmental Correspondence dated June 9, 1997
Exhibit 3	59	Buffalo Police Department Intra- Departmental Correspondence dated July 3, 1997
Exhibit 4	59	Photo Spread Information, Bates No. COB 986
Exhibit 5	59	Buffalo Police Department Intra- Departmental Correspondence dated June 24, 1997
Exhibit 6	64	Buffalo Police Department Intra- Departmental Correspondence dated June 25, 1997

January 19, 2021

INDEX (continued)

EXHIBIT	PAGE	
Exhibit 7	67	Buffalo Police Department Intra- Departmental Correspondence, Bates No. COB 90
Exhibit 8	68	Buffalo Police Department Activity Report dated June 26, 1997
Exhibit 9	74	Photo Spread Information, Bates No. COB 948
Exhibit 10	82	Buffalo Police Department Intra- Departmental Correspondence dated July 7, 1997
Exhibit 11	85	Handwritten notes dated July 6, 1997
Exhibit 12	88	Photo-Array Identification Affidavit dated July 6, 1997
Exhibit 13	92	Trial testimony of Detective Bohen, Bates Nos. Epps 1022-1039

#	14:23, 17:3	61:8, 62:24, 63:5, 64:24, 66:3, 66:17, 66:25, 67:4, 77:11, 80:17, 88:12, 106:17	911 [1] - 62:11
#2370 [1] - 2:14	1970 [2] - 9:4, 9:5	48 [1] - 106:10	92 [1] - 107:20
'	1983 [5] - 17:3, 18:13, 18:24, 27:15, 27:20		948 [4] - 74:24, 75:2, 107:12
'68 [1] - 14:10	1996 [3] - 32:22, 33:4, 33:11	5	951 [1] - 74:23
0	1997 [45] - 18:9, 18:10, 18:13, 26:3, 26:16, 27:15, 28:20, 31:16, 31:20, 32:18, 33:9, 33:16, 34:13, 41:14, 48:8, 52:15, 52:16, 53:4, 59:8, 59:15, 63:25, 64:6, 64:15, 68:19, 68:21, 75:22, 82:4, 82:11, 83:14, 84:17, 85:23, 88:15, 90:15, 91:12, 96:22, 98:6, 106:10, 106:13, 106:16, 106:21, 106:24, 107:10, 107:15, 107:17, 107:19	5 [10] - 58:8, 58:21, 59:15, 59:17, 63:5, 63:6, 66:9, 66:18, 66:20, 106:19 53 [1] - 106:11 59 [3] - 106:14, 106:17, 106:19	953 [3] - 57:23, 58:20, 59:4 958 [1] - 85:21 97-083 [1] - 62:18 981 [2] - 58:9, 58:21 986 [7] - 58:4, 58:14, 58:19, 58:24, 59:11, 106:18 9th [2] - 52:17, 52:18
0200 [2] - 30:24, 30:25 0900 [2] - 30:23, 30:25	1:19-cv-00281-LJV [1] - 1:6	6	A
1	2	6 [13] - 63:24, 64:2, 64:6, 64:8, 65:25, 83:14, 84:17, 85:22, 88:15, 106:6, 106:22, 107:17, 107:19 6-24-97 [1] - 67:3 6/24 [1] - 67:9 64 [2] - 32:20, 106:22 65 [1] - 3:7 67 [1] - 107:6 68 [1] - 107:9 6th [5] - 82:11, 93:10, 93:13, 93:18, 93:20	a.m [1] - 1:14 able [1] - 29:18 about [28] - 8:8, 12:3, 12:10, 15:2, 16:14, 16:25, 20:25, 25:8, 34:5, 43:12, 45:14, 47:24, 50:5, 54:9, 55:22, 71:5, 71:14, 72:18, 73:24, 83:13, 83:22, 90:9, 94:20, 94:21, 95:10, 96:19, 98:13, 99:3 above [2] - 88:23, 89:10 absolutely [1] - 8:10 academy [2] - 16:2, 18:25 acceptable [1] - 47:15 access [2] - 37:4, 54:5 accuracy [1] - 30:11 accurate [1] - 9:20 accurately [1] - 94:11 acknowledge [2] - 5:4, 5:8 act [1] - 89:6 action [1] - 105:17 activities [2] - 49:13, 49:23 activity [2] - 68:18, 68:23 Activity [2] - 68:21, 107:9 actual [4] - 47:3, 62:3, 75:15, 76:21
1 [8] - 46:14, 46:22, 47:25, 48:3, 48:9, 48:15, 52:3, 106:10 1/2 [1] - 40:2 10 [4] - 81:24, 82:4, 82:6, 107:13 100 [2] - 51:7, 106:6 100-714 [1] - 77:13 10005 [1] - 2:8 101 [1] - 106:7 1022 [1] - 92:9 1022-1039 [2] - 92:12, 107:21 10279 [1] - 2:15 1038 [1] - 92:10 11 [5] - 40:2, 85:20, 85:23, 85:25, 107:16 1112 [1] - 3:8 119 [1] - 63:24 11:22 [1] - 1:14 12 [5] - 58:3, 88:13, 88:16, 88:17, 107:18 123 [1] - 81:22 13 [7] - 92:8, 92:13, 92:17, 92:25, 94:25, 95:17, 107:20 14 [1] - 2:6 14202-3313 [1] - 3:9 15 [6] - 16:25, 17:6, 17:12, 17:22, 47:22, 95:11 1600 [2] - 30:24 1603 [1] - 2:7 17 [1] - 57:24 18 [1] - 18:9 187356 [2] - 80:4, 80:9 188001 [1] - 79:21 19 [5] - 1:13, 5:13, 103:2, 106:2, 107:2 1920 [1] - 72:9 1950 [1] - 13:16 1962 [3] - 13:16, 14:8, 14:10 1967 [2] - 14:18, 14:19 1968 [5] - 14:7, 14:8, 14:18,	2 [9] - 52:13, 53:4, 53:9, 54:25, 61:7, 61:8, 62:15, 79:21, 106:11 2019 [1] - 11:3 202.7 [1] - 5:12 2020 [1] - 5:13 2021 [5] - 1:13, 103:2, 104:15, 106:2, 107:2 21 [1] - 93:10 212522 [1] - 79:13 215197 [1] - 60:4 233 [1] - 2:13 23:30 [1] - 50:14 24 [11] - 11:13, 11:21, 12:3, 12:10, 12:16, 12:22, 13:4, 13:9, 59:15, 93:12, 106:21 25 [6] - 52:16, 63:25, 64:6, 64:15, 93:15, 106:24 26 [3] - 68:18, 68:21, 107:10 27th [1] - 41:18 2:07 [1] - 102:7	7	actually [25] - 7:11, 7:18, 15:9, 16:7, 24:4, 26:19, 30:14, 40:15, 40:23, 44:18, 47:6, 48:21, 51:19, 65:9, 66:22, 67:7, 76:11, 76:23, 78:20, 81:2, 81:5, 81:12, 82:12, 90:6, 99:23 Actually [2] - 52:23, 95:8 additional [2] - 17:8, 18:25 address [1] - 98:9 administer [2] - 4:12, 5:10 administered [1] - 5:9 advice [1] - 26:17 affidavit [1] - 88:12 Affidavit [3] - 88:15, 88:21, 107:19 affidavits [1] - 89:24 after [11] - 14:22, 17:5, 17:25, 38:20, 39:21, 41:2,
	3	7 [9] - 48:8, 67:15, 67:18, 67:23, 68:2, 82:4, 106:10, 107:6, 107:15 7/7/1997 [1] - 46:14 7/7/97 [4] - 45:11, 45:15, 45:23, 81:21 74 [2] - 98:3, 107:11	
	3 [20] - 58:2, 58:12, 58:18, 58:20, 59:3, 59:8, 75:5, 75:12, 75:18, 75:22, 76:16, 78:12, 78:24, 79:16, 79:18, 79:25, 80:8, 106:14, 106:16 30th [1] - 11:3	8	
	4	8 [8] - 27:21, 27:22, 40:2, 68:17, 68:22, 72:8, 74:9, 107:9 82 [1] - 107:13 85 [1] - 107:16 88 [1] - 107:18	
	4 [19] - 58:5, 58:12, 58:13, 58:21, 58:23, 59:11, 60:19,	9	
		9 [22] - 45:6, 52:15, 53:4, 74:22, 75:2, 75:5, 75:9, 75:14, 77:2, 77:11, 77:16, 78:2, 78:25, 79:7, 80:3, 81:13, 84:22, 85:6, 85:14, 100:24, 106:13, 107:11 90 [4] - 67:16, 67:18, 67:23, 107:8	

<p>63:10, 63:12, 63:13, 67:10, 87:15</p> <p>afternoon [2] - 30:17</p> <p>again [5] - 18:19, 47:25, 59:3, 80:3, 93:4</p> <p>against [1] - 10:11</p> <p>ago [8] - 11:13, 11:21, 12:4, 12:10, 12:16, 12:22, 13:4, 13:9</p> <p>agree [1] - 5:22</p> <p>AGREED [3] - 4:4, 4:9, 4:13</p> <p>agreement [2] - 5:18, 5:19</p> <p>agrees [1] - 5:21</p> <p>ahead [1] - 74:18</p> <p>alibi [1] - 91:18</p> <p>alibis [1] - 91:23</p> <p>alive [1] - 50:7</p> <p>all [21] - 4:6, 8:6, 20:7, 25:15, 30:7, 37:15, 38:7, 39:7, 45:19, 47:8, 49:4, 49:22, 52:10, 56:20, 70:2, 70:17, 82:19, 82:21, 82:25, 90:4, 98:24</p> <p>All [2] - 7:23, 48:10</p> <p>ALL [1] - 2:2</p> <p>along [1] - 83:18</p> <p>also [13] - 6:14, 7:17, 25:19, 47:7, 52:4, 56:25, 60:10, 77:16, 85:9, 91:3, 97:14, 98:16, 99:10</p> <p>alternate [1] - 30:8</p> <p>Although [1] - 7:24</p> <p>always [4] - 8:2, 26:21, 36:11, 71:11</p> <p>am [3] - 5:4, 105:16, 105:18</p> <p>AND [4] - 1:11, 4:4, 4:9, 4:13</p> <p>Anderson [1] - 100:9</p> <p>Andy [1] - 26:10</p> <p>another [4] - 19:20, 55:4, 75:10, 80:21</p> <p>answer [12] - 6:18, 8:18, 33:23, 50:4, 56:3, 65:12, 70:18, 80:15, 82:24, 90:2, 93:5, 93:12</p> <p>answers [1] - 9:20</p> <p>Anthony [1] - 12:5</p> <p>ANTHONY [1] - 1:9</p> <p>any [50] - 4:11, 5:16, 8:21, 10:2, 14:2, 14:9, 14:20, 15:6, 15:11, 15:16, 15:18, 17:7, 17:13, 17:17, 17:20, 18:25, 19:3, 20:13, 20:14, 20:16, 20:19, 20:22, 21:4, 21:7, 22:5, 22:22, 24:11, 24:25, 27:23, 31:16, 32:15, 34:13, 34:20, 38:2, 39:20, 43:19, 44:5, 51:4, 52:6, 71:6, 71:25, 82:22, 84:14, 85:8, 91:10, 91:23, 94:15, 96:3, 100:13, 105:17</p>	<p>anybody [3] - 84:16, 91:14, 96:13</p> <p>anyone [4] - 11:6, 33:15, 83:25, 84:8</p> <p>anything [14] - 9:23, 10:7, 42:2, 44:12, 50:2, 82:13, 83:22, 91:22, 92:25, 94:25, 95:15, 101:3, 101:11, 101:21</p> <p>anyway [2] - 8:11, 16:9</p> <p>apologies [1] - 58:7</p> <p>appear [2] - 79:17, 80:7</p> <p>APPEARANCES [2] - 2:2, 3:2</p> <p>APPEARING [1] - 2:2</p> <p>appears [3] - 78:19, 85:6, 100:23</p> <p>approximately [2] - 98:18, 101:7</p> <p>area [2] - 71:3, 95:25</p> <p>Aronica [3] - 12:24, 13:3, 26:12</p> <p>ARONICA [1] - 1:11</p> <p>arrangement [1] - 5:15</p> <p>array [47] - 23:10, 24:4, 41:8, 59:20, 59:25, 60:16, 60:23, 62:3, 64:12, 64:16, 64:19, 64:22, 65:3, 65:7, 65:17, 66:7, 66:14, 66:19, 66:23, 67:2, 67:8, 67:11, 75:7, 75:15, 76:4, 76:20, 76:22, 76:24, 78:6, 78:9, 78:13, 78:17, 78:22, 79:2, 80:18, 80:22, 80:24, 81:8, 81:15, 83:20, 84:5, 84:20, 84:23, 85:8, 85:15, 93:12</p> <p>Array [3] - 88:14, 88:20, 107:18</p> <p>arrays [4] - 23:4, 23:7, 23:25, 80:12</p> <p>arrest [2] - 60:8, 91:14</p> <p>arrested [1] - 25:14</p> <p>assailant [2] - 56:13, 57:11</p> <p>assaults [1] - 28:4</p> <p>assigned [14] - 19:25, 27:9, 27:11, 27:20, 28:15, 28:22, 29:4, 30:6, 35:23, 36:14, 38:17, 38:25, 69:16, 71:22</p> <p>assignment [2] - 27:17, 36:3</p> <p>assistant [2] - 22:16, 22:18</p> <p>assume [1] - 77:22</p> <p>assuming [1] - 77:19</p> <p>attached [2] - 62:4, 62:6</p> <p>attention [4] - 55:3, 55:8, 55:21, 57:9</p> <p>attorney [9] - 6:13, 22:13, 40:13, 96:21, 96:25, 97:10, 97:13, 97:18, 97:20</p> <p>Attorney [1] - 2:12</p> <p>attorney's [2] - 98:6, 98:12</p> <p>Attorneys [2] - 2:5, 3:6</p>	<p>attorneys [3] - 5:2, 22:17, 22:19</p> <p>August [2] - 14:7, 14:23</p> <p>aunt [7] - 42:12, 42:15, 42:18, 43:3, 43:6, 43:7, 72:19</p> <p>authorized [1] - 4:11</p> <p>Avenue [1] - 98:8</p> <p>avoid [1] - 58:7</p> <p>aware [7] - 19:2, 26:24, 39:3, 39:23, 79:5, 91:13, 91:17</p>	<p>84:15, 94:15, 94:17, 94:23, 95:13</p> <p>better [2] - 29:19, 69:5</p> <p>between [8] - 4:5, 14:8, 30:21, 41:21, 41:25, 42:23, 86:4, 95:15</p> <p>biggest [1] - 41:9</p> <p>Birchfield's [4] - 90:17, 90:19, 91:10, 91:15</p> <p>bit [3] - 52:11, 74:19, 86:22</p> <p>blank [4] - 51:16, 51:18, 89:24, 99:16</p> <p>blanks [1] - 60:24</p> <p>block [1] - 88:23</p> <p>blocks [1] - 98:13</p> <p>blood [1] - 105:18</p> <p>blue [6] - 58:22, 60:22, 61:11, 61:17, 67:5, 74:21</p> <p>board [2] - 56:20, 56:24</p> <p>BOHAN [1] - 1:7</p> <p>Bohen [8] - 6:7, 8:12, 48:14, 50:21, 69:8, 92:12, 106:6, 107:21</p> <p>BOHEN [4] - 1:17, 6:2, 104:9, 105:11</p> <p>book [7] - 38:23, 39:6, 40:12, 51:9, 51:13, 86:17, 98:15</p> <p>books [6] - 38:25, 39:11, 39:18, 39:21, 39:25, 86:22</p> <p>bore [1] - 48:10</p> <p>bottom [8] - 45:8, 49:12, 50:9, 50:17, 59:21, 76:6, 81:22, 89:9</p> <p>BPD [1] - 75:25</p> <p>Bradley [14] - 64:17, 65:3, 66:2, 67:11, 82:15, 83:15, 83:25, 84:17, 84:20, 84:25, 85:16, 86:11, 87:6, 87:15</p> <p>Bradley's [1] - 86:25</p> <p>Brady [7] - 15:19, 16:8, 17:21, 20:20, 21:8, 21:11, 21:15</p> <p>Bratos [2] - 48:13, 50:20</p> <p>bringing [1] - 10:11</p> <p>broadly [1] - 96:9</p> <p>Broadway [1] - 2:13</p> <p>brought [3] - 55:3, 55:8, 57:8</p> <p>BUFFALO [2] - 1:7, 3:4</p> <p>Buffalo [38] - 3:9, 14:2, 14:5, 18:8, 27:6, 28:18, 29:24, 32:19, 33:5, 33:21, 34:16, 34:25, 36:7, 43:13, 52:13, 53:2, 59:6, 59:13, 64:4, 64:10, 67:21, 68:20, 82:2, 84:16, 88:20, 90:16, 91:11, 95:23, 95:24, 96:3, 98:4, 106:11, 106:14, 106:19, 106:22, 107:6, 107:9, 107:13</p>
---	--	--	---

<p>buffalo.com [1] - 3:11 building [1] - 98:8 bureau [5] - 23:19, 23:23, 24:9, 24:15, 25:17 burglaries [2] - 28:3, 28:4 business [1] - 28:4 buy [1] - 39:4 BY [8] - 2:9, 2:16, 3:10, 6:6, 90:14, 100:20, 101:5, 106:5</p>	<p>CD [3] - 61:22, 62:9, 77:12 certain [4] - 20:25, 25:24, 28:8, 65:22 CERTIFICATE [1] - 105:2 certify [2] - 105:10, 105:16 CHANGE/REASON [1] - 103:6 charged [1] - 25:15 CHARLES [1] - 1:10 Charles [2] - 12:23, 26:12 CHELLA [1] - 1:10 Chella [2] - 12:12, 12:15 CHIEF [1] - 1:11 Chief [2] - 13:5, 13:8 choice [1] - 24:5 circulate [2] - 47:2, 47:13 circulated [1] - 56:17 circumstances [1] - 36:21 CITY [2] - 1:7, 3:4 City [2] - 88:20, 98:3 claims [1] - 10:11 clarification [3] - 7:4, 73:9, 94:13 clarified [1] - 94:9 clarify [2] - 16:12, 100:6 class [1] - 20:24 classes [4] - 19:3, 20:13, 20:16, 20:19 clear [6] - 6:15, 16:6, 27:2, 51:3, 74:8, 77:10 clip [1] - 60:25 close [1] - 90:7 COB [16] - 58:4, 58:9, 58:13, 59:11, 63:24, 67:16, 67:18, 67:23, 74:24, 75:2, 81:22, 85:21, 88:12, 106:18, 107:8, 107:12 collect [1] - 49:4 collected [2] - 36:25, 49:23 collection [1] - 23:23 college [1] - 13:17 colored [1] - 52:21 come [6] - 25:13, 35:2, 36:11, 76:20, 97:22, 99:15 comes [1] - 66:17 coming [1] - 62:11 command [1] - 32:7 communication [2] - 10:17, 10:21 compare [1] - 77:11 comparing [1] - 63:5 complaint [4] - 61:23, 62:10, 62:12, 62:22 completely [1] - 99:23 composite [1] - 56:13 composites [2] - 56:16, 56:21 concern [1] - 20:19 concurrently [1] - 47:10 confused [1] - 71:21 confusion [3] - 71:13,</p>	<p>93:23, 95:14 connected [1] - 51:22 consecutive [1] - 47:19 consent [1] - 5:15 Constantino [2] - 12:6, 12:9 CONSTANTINO [1] - 1:9 contact [1] - 13:11 containing [1] - 80:12 contains [4] - 64:19, 77:12, 78:13, 85:8 contemporaneously [1] - 86:10 content [1] - 10:3 contents [1] - 10:20 CONTINUED [1] - 90:13 continued [2] - 5:24, 107:3 Continued [1] - 3:2 continuous [1] - 97:4 continuously [1] - 18:12 conversation [4] - 6:23, 44:24, 51:6, 51:12 conversations [3] - 10:3, 34:5, 52:7 Conwall [5] - 32:7, 32:10, 48:19, 48:22, 70:9 copies [2] - 47:8, 47:14 copy [3] - 38:14, 46:10, 60:21 corner [2] - 48:15, 66:11 CORPORATION [1] - 3:5 correct [35] - 29:16, 35:22, 38:5, 41:23, 48:16, 49:2, 49:11, 50:10, 50:17, 55:4, 56:12, 61:9, 62:19, 63:18, 64:14, 67:20, 68:2, 70:11, 71:19, 72:6, 72:20, 75:6, 80:11, 80:19, 84:19, 85:7, 86:6, 86:15, 89:7, 92:2, 93:22, 94:10, 96:16, 99:21, 101:12 correctly [1] - 55:2 correspond [3] - 50:20, 60:14, 62:25 corresponded [2] - 43:22, 76:17 Correspondence [14] - 52:14, 53:3, 59:7, 59:14, 64:5, 64:12, 67:22, 82:3, 106:12, 106:15, 106:20, 106:23, 107:7, 107:15 correspondence [3] - 43:19, 43:24, 44:14 corresponding [1] - 43:23 corresponds [2] - 76:2, 81:7 Cory [28] - 10:11, 35:3, 35:9, 35:11, 41:12, 72:24, 73:6, 73:25, 74:4, 74:22, 75:7, 78:14, 79:2, 80:12, 85:9, 87:2, 87:17, 87:20,</p>	<p>87:23, 87:24, 88:4, 89:13, 91:18, 91:23, 91:25, 96:10, 96:13, 96:17 CORY [1] - 1:4 could [14] - 19:16, 25:7, 37:9, 40:7, 45:23, 47:22, 49:6, 52:24, 55:10, 61:4, 77:24, 90:22, 91:3, 91:4 couldn't [1] - 33:14 counsel [4] - 4:5, 5:14, 10:17, 100:12 COUNSEL'S [1] - 3:5 COUNTY [1] - 105:5 county [1] - 98:7 County [1] - 14:13 couple [2] - 10:5, 10:6 COURT [1] - 1:2 court [5] - 9:9, 9:14, 47:7, 69:3, 93:17 cover [1] - 75:10 create [1] - 76:19 created [13] - 37:12, 38:14, 59:25, 66:18, 75:6, 77:17, 78:2, 79:2, 80:13, 80:19, 80:24, 81:8, 82:7 creating [1] - 63:8 crime [2] - 25:15, 40:24 crimes [2] - 28:6, 28:11 criminal [4] - 15:21, 21:22, 22:12, 89:6 cross [1] - 9:15 cross-examined [1] - 9:15 Cuomo [1] - 5:12 curiosity [1] - 50:6 curious [1] - 81:12 current [1] - 56:21 currently [1] - 64:23 cursive [1] - 86:5 cut [1] - 46:10</p>
C			
<p>cabinet [5] - 24:17, 24:19, 24:21, 25:9, 76:9 calculated [1] - 29:10 call [8] - 23:21, 26:16, 31:4, 57:14, 62:11, 72:18, 96:13, 98:20 Callari [3] - 69:8, 69:12, 74:16 called [7] - 6:3, 31:7, 43:15, 50:14, 70:4, 70:23, 90:16 calls [2] - 62:11, 73:20 camera [1] - 6:19 Can [1] - 52:20 can [37] - 8:8, 8:19, 9:2, 10:3, 10:14, 10:18, 17:24, 18:18, 20:21, 22:4, 22:19, 22:25, 25:9, 33:22, 42:9, 43:7, 45:3, 45:12, 46:13, 50:3, 50:23, 55:6, 55:14, 55:22, 56:2, 59:17, 60:19, 64:8, 65:11, 65:25, 73:4, 73:7, 80:14, 87:7, 88:17, 93:5, 101:13 can't [4] - 6:21, 8:22, 26:14, 46:12 canvass [1] - 71:3 Captain [5] - 32:5, 36:5, 36:12, 43:23, 70:10 car [3] - 56:9, 57:16, 57:17 cardboard [1] - 60:22 care [1] - 47:10 career [1] - 16:17 careful [1] - 9:19 carefully [1] - 65:18 carried [3] - 51:15, 51:16, 86:21 Carrington [1] - 93:19 carry [1] - 98:16 case [14] - 15:22, 36:7, 36:10, 36:15, 37:15, 37:19, 70:17, 71:15, 71:22, 72:4, 72:13, 72:16, 96:22, 99:4 cases [4] - 19:20, 26:24, 49:14, 56:21 catch [2] - 36:7, 36:10 catching [1] - 71:14 caught [1] - 56:11 caused [1] - 65:19</p>			
D			
<p>DA's [1] - 45:10 daily [1] - 19:19 dance [1] - 91:6 danced [1] - 91:8 dancing [1] - 91:5 dark [1] - 102:4 date [19] - 10:15, 10:18, 10:22, 10:25, 25:2, 41:16, 66:10, 66:13, 67:8, 80:18, 80:22, 80:23, 80:24, 81:7, 81:14, 81:21, 82:15, 94:21, 94:23 date-wise [1] - 94:21 dated [23] - 45:23, 48:8, 52:14, 53:3, 59:7, 59:14, 63:24, 64:5, 68:18, 68:21, 75:22, 82:3, 85:22, 88:15, 106:10, 106:12, 106:15,</p>			

<p>106:20, 106:23, 107:10, 107:15, 107:16, 107:19</p> <p>dates [1] - 15:17</p> <p>day [12] - 30:2, 30:15, 30:16, 30:21, 30:23, 38:20, 49:5, 49:22, 69:13, 83:22, 90:10, 104:14</p> <p>days [1] - 49:7</p> <p>death [1] - 42:23</p> <p>December [1] - 18:9</p> <p>deem [1] - 46:22</p> <p>defendant [3] - 5:23, 15:22, 21:22</p> <p>defendants [1] - 3:6</p> <p>Defendants [1] - 1:12</p> <p>defense [1] - 22:13</p> <p>degree [1] - 13:23</p> <p>Delaware [1] - 98:8</p> <p>demarcated [1] - 30:21</p> <p>DEPARTMENT [1] - 3:4</p> <p>department [6] - 14:2, 14:23, 29:12, 35:13, 39:2, 70:12</p> <p>Department [25] - 14:6, 14:13, 18:8, 27:7, 34:17, 35:2, 43:14, 52:13, 53:2, 59:6, 59:13, 64:4, 64:11, 67:21, 68:20, 82:2, 88:19, 91:12, 106:11, 106:14, 106:19, 106:22, 107:6, 107:9, 107:14</p> <p>Departmental [14] - 52:14, 53:3, 59:7, 59:14, 64:5, 64:11, 67:22, 82:3, 106:12, 106:15, 106:20, 106:23, 107:7, 107:14</p> <p>departmental [1] - 43:18</p> <p>departments [1] - 14:3</p> <p>depending [1] - 49:25</p> <p>deposition [20] - 1:16, 4:10, 4:15, 5:3, 5:5, 5:6, 6:10, 8:25, 9:6, 9:24, 10:8, 46:20, 46:25, 47:20, 47:21, 47:22, 48:2, 92:16, 105:12, 105:13</p> <p>depositions [1] - 47:12</p> <p>describe [1] - 19:16</p> <p>describes [1] - 94:11</p> <p>designation [1] - 69:21</p> <p>desk [3] - 62:10, 62:13, 62:22</p> <p>DETECTIVE [6] - 1:7, 1:7, 1:8, 1:8, 1:9, 1:10</p> <p>Detective [34] - 11:8, 11:12, 11:16, 11:20, 11:22, 12:2, 12:5, 12:9, 12:11, 12:15, 12:17, 12:21, 12:23, 13:3, 26:9, 26:10, 26:11, 26:12, 48:14, 69:7, 69:8, 69:12, 69:22, 74:16, 83:19, 84:7, 84:15, 88:3, 92:11, 100:23, 101:6, 107:21</p>	<p>detective [41] - 18:6, 18:12, 18:15, 18:24, 19:4, 19:13, 19:20, 19:24, 20:7, 20:12, 20:14, 20:23, 21:2, 22:3, 22:7, 23:3, 27:6, 27:17, 27:23, 28:12, 30:13, 31:12, 31:17, 32:9, 35:19, 37:18, 38:23, 43:19, 46:4, 48:11, 53:9, 67:25, 69:25, 70:4, 71:4, 72:5, 75:4, 88:18, 90:15, 95:7, 100:21</p> <p>detective's [1] - 75:10</p> <p>detectives [16] - 23:8, 25:25, 26:3, 28:10, 29:23, 31:20, 31:25, 32:12, 53:21, 57:3, 57:5, 71:2, 71:16, 99:22, 100:2, 100:6</p> <p>did [116] - 7:5, 8:3, 9:23, 10:7, 10:10, 13:14, 13:17, 13:24, 14:2, 14:5, 14:8, 14:10, 14:15, 14:19, 14:23, 15:2, 15:5, 15:11, 15:16, 15:18, 16:22, 17:7, 17:13, 17:17, 17:20, 18:7, 18:16, 18:24, 19:3, 19:6, 20:3, 20:13, 20:16, 20:19, 20:22, 21:4, 21:25, 22:9, 22:15, 22:22, 23:6, 24:25, 25:12, 27:4, 27:16, 27:22, 28:17, 29:5, 35:2, 35:9, 35:12, 35:15, 35:18, 35:19, 36:2, 37:13, 37:18, 38:10, 38:12, 38:23, 39:4, 39:10, 39:13, 39:18, 40:23, 42:2, 43:2, 43:4, 46:3, 46:4, 46:15, 49:5, 53:13, 53:14, 53:22, 54:5, 56:6, 56:23, 56:24, 58:11, 65:8, 67:11, 67:13, 68:5, 69:15, 71:15, 73:2, 73:5, 73:23, 74:3, 78:10, 84:7, 84:15, 86:9, 87:5, 87:16, 87:18, 87:24, 88:3, 91:10, 91:14, 91:22, 92:16, 92:18, 92:19, 92:23, 92:25, 93:11, 95:15, 96:8, 96:10, 96:13, 97:7, 98:20, 100:2</p> <p>didn't [9] - 13:22, 40:25, 44:22, 71:17, 78:20, 91:24, 95:18, 96:12, 99:17</p> <p>different [15] - 20:9, 23:24, 28:5, 44:16, 47:25, 49:2, 49:14, 49:24, 52:21, 62:21, 63:2, 72:13, 72:15, 75:15, 95:9</p> <p>differentiating [1] - 86:4</p> <p>differently [1] - 99:20</p> <p>difficult [1] - 69:4</p> <p>directing [1] - 70:6</p> <p>discipline [1] - 34:20</p> <p>disciplined [1] - 34:18</p> <p>disclose [1] - 10:18</p> <p>disclosed [1] - 45:18</p>	<p>discovered [1] - 97:2</p> <p>discovery [1] - 45:19</p> <p>discrepancies [1] - 80:10</p> <p>discussed [13] - 11:6, 51:9, 51:25, 68:24, 71:21, 73:19, 75:24, 77:2, 94:17, 94:21, 95:14, 98:15, 99:13</p> <p>discussion [6] - 18:20, 50:11, 58:10, 73:24, 90:11, 102:6</p> <p>Discussion [2] - 58:17, 59:5</p> <p>district [11] - 22:16, 22:18, 40:13, 96:21, 96:25, 97:9, 97:13, 97:18, 97:20, 98:5, 98:11</p> <p>DISTRICT [2] - 1:2, 1:2</p> <p>divided [1] - 30:3</p> <p>do [87] - 6:25, 7:24, 8:2, 8:13, 8:19, 9:23, 10:7, 11:4, 11:8, 11:10, 11:16, 11:22, 11:24, 12:5, 12:7, 12:11, 12:13, 12:17, 12:19, 12:23, 12:25, 13:5, 13:6, 21:12, 21:15, 21:19, 24:15, 25:19, 25:22, 26:15, 26:18, 33:15, 36:7, 38:13, 39:16, 39:17, 41:16, 41:25, 42:17, 45:12, 46:17, 47:9, 47:19, 48:5, 50:6, 51:3, 51:19, 51:21, 53:18, 58:9, 60:12, 63:9, 63:14, 65:2, 69:9, 72:11, 74:15, 77:7, 78:5, 78:8, 79:22, 79:25, 80:5, 82:12, 83:2, 83:13, 83:21, 83:24, 84:4, 84:22, 85:13, 90:21, 91:22, 92:14, 94:15, 94:24, 95:9, 95:19, 95:22, 96:3, 96:6, 97:17, 100:12, 100:21, 101:21, 105:9</p> <p>Do [2] - 8:21, 32:24</p> <p>document [17] - 43:15, 45:6, 46:11, 47:21, 48:21, 49:12, 53:13, 55:7, 64:15, 68:3, 68:5, 76:16, 76:21, 81:7, 82:22, 83:13, 85:25</p> <p>documents [21] - 36:24, 37:5, 37:9, 37:13, 38:7, 44:6, 47:8, 49:9, 49:20, 49:22, 52:6, 57:22, 57:23, 77:16, 82:14, 82:18, 83:7, 83:17, 97:14, 97:19, 97:23</p> <p>does [13] - 7:10, 42:21, 45:7, 49:4, 59:24, 60:6, 60:14, 66:13, 67:7, 74:11, 77:3, 79:17, 80:7</p> <p>doesn't [4] - 45:9, 50:25, 75:9, 79:19</p> <p>doing [6] - 19:23, 41:4, 41:8, 43:20, 47:6, 65:20</p> <p>don't [43] - 7:9, 7:15, 7:16, 7:17, 7:21, 9:7, 10:14, 10:20,</p>	<p>17:10, 21:17, 32:11, 32:23, 36:6, 36:19, 39:9, 39:19, 47:9, 47:10, 47:17, 51:2, 55:9, 57:14, 65:4, 67:13, 68:7, 74:2, 74:5, 74:7, 74:13, 74:17, 77:21, 88:6, 88:7, 89:18, 94:2, 95:5, 96:5, 98:9, 100:15, 100:25, 101:2</p> <p>Donald [11] - 55:13, 55:15, 55:24, 56:6, 57:9, 60:3, 60:7, 63:4, 64:19, 67:12, 68:3</p> <p>done [1] - 63:8</p> <p>down [9] - 36:18, 37:14, 42:6, 46:7, 55:19, 61:4, 71:11, 73:23, 76:15</p> <p>draft [1] - 54:8</p> <p>drafted [1] - 53:12</p> <p>dressed [1] - 8:11</p> <p>drink [1] - 90:22</p> <p>driving [1] - 56:10</p> <p>duly [2] - 6:3, 105:13</p> <p>during [11] - 15:5, 17:6, 17:12, 20:12, 34:16, 34:25, 35:18, 46:4, 63:20, 91:19, 97:11</p> <p>duties [1] - 27:23</p> <p>duty [1] - 46:4</p>
E			
<p>early [2] - 28:19, 31:6</p> <p>earn [1] - 13:23</p> <p>easier [1] - 32:17</p> <p>edge [1] - 51:23</p> <p>efficient [1] - 47:4</p> <p>eight [2] - 40:5, 98:17</p> <p>eight-by-three [1] - 98:17</p> <p>either [2] - 17:14, 51:14</p> <p>else [11] - 10:8, 11:6, 20:5, 50:2, 81:13, 83:22, 84:8, 84:16, 94:25, 95:16, 101:21</p> <p>elsewhere [1] - 81:6</p> <p>email [1] - 45:17</p> <p>enacted [1] - 16:8</p> <p>end [2] - 46:24, 47:9</p> <p>enforcement [3] - 14:9, 14:20, 34:14</p> <p>enough [5] - 6:24, 11:15, 17:11, 53:23, 53:24</p> <p>entries [1] - 49:17</p> <p>entry [5] - 50:10, 50:23, 72:9, 72:17, 74:9</p> <p>EPPS [1] - 1:4</p> <p>Epps [34] - 10:11, 35:3, 35:6, 35:7, 35:9, 35:12, 41:12, 41:23, 42:25, 72:24, 73:6, 73:25, 74:4, 75:7, 78:14, 79:3, 80:12, 85:9, 87:2, 87:17, 87:20, 87:24, 87:25, 88:4, 89:13, 91:18,</p>			

<p>91:23, 91:25, 92:9, 92:12, 96:11, 96:14, 96:18, 107:21 Epps's [1] - 74:22 Erie [1] - 14:13 ERRATA [1] - 103:4 establishment [1] - 90:16 estimate [1] - 25:10 even [2] - 6:19, 8:14 evening [1] - 30:18 events [1] - 83:4 eventually [1] - 63:20 ever [17] - 6:9, 9:5, 9:15, 20:13, 34:17, 35:2, 47:24, 73:2, 73:5, 73:23, 74:3, 79:5, 87:20, 87:24, 88:3, 91:14, 100:8 every [3] - 6:18, 49:21, 63:19 everybody [1] - 102:3 everyone [2] - 18:18, 70:19 everything [1] - 97:10 evidence [8] - 17:22, 20:20, 21:20, 22:2, 22:6, 22:11, 22:20, 22:24 exactly [3] - 8:15, 10:15, 39:17 EXAMINATION [5] - 6:5, 90:13, 100:19, 101:4, 106:5 examined [1] - 9:15 example [5] - 25:5, 31:6, 37:7, 53:10, 56:22 except [1] - 4:6 exculpatory [9] - 15:20, 17:22, 20:20, 21:21, 22:2, 22:6, 22:10, 22:20, 22:24 excuse [1] - 93:18 Excuse [1] - 81:9 Executive [1] - 5:11 Exhibit [109] - 46:14, 46:22, 47:25, 48:3, 48:9, 48:15, 52:3, 52:13, 53:4, 53:9, 54:25, 58:2, 58:5, 58:8, 58:12, 58:13, 58:21, 58:23, 59:3, 59:8, 59:11, 59:15, 59:17, 60:19, 61:7, 61:8, 62:15, 62:24, 63:5, 63:24, 64:2, 64:6, 64:8, 64:24, 65:25, 66:3, 66:9, 66:17, 66:18, 66:20, 66:25, 67:4, 67:15, 67:18, 67:23, 68:2, 68:17, 68:22, 72:8, 74:9, 74:22, 75:2, 75:5, 75:9, 75:12, 75:14, 75:18, 76:16, 77:2, 77:11, 77:16, 78:2, 78:12, 78:24, 78:25, 79:7, 79:16, 79:18, 79:25, 80:3, 80:8, 80:17, 81:13, 81:24, 82:4, 82:6, 84:22, 85:6, 85:14, 85:20, 85:23, 85:25, 88:13, 88:16, 88:17, 92:8, 92:13, 92:17, 92:25, 94:25,</p>	<p>95:17, 100:24, 106:10, 106:11, 106:14, 106:17, 106:19, 106:22, 107:6, 107:9, 107:11, 107:13, 107:16, 107:18, 107:20 EXHIBIT [2] - 106:9, 107:5 exhibit [3] - 46:21, 47:3, 82:19 exhibits [3] - 82:19, 82:22, 82:25 exonerated [1] - 96:18 eye [1] - 56:11</p> <p style="text-align: center;">F</p> <p>fact [4] - 10:14, 49:16, 64:22, 91:17 fair [33] - 9:8, 9:18, 11:15, 13:10, 13:22, 16:18, 17:2, 17:11, 23:22, 25:18, 28:8, 28:21, 29:14, 30:2, 33:19, 33:25, 34:8, 35:11, 40:20, 41:13, 50:19, 54:2, 70:20, 73:21, 75:18, 78:12, 79:9, 83:6, 88:7, 88:22, 95:10, 101:8, 101:14 fairly [1] - 56:17 Faison [10] - 55:13, 55:15, 55:24, 56:6, 57:9, 60:7, 63:4, 64:20, 67:12, 68:3 Faison's [1] - 60:3 false [1] - 34:21 family [1] - 84:5 far [4] - 38:15, 43:7, 75:12, 98:11 fashion [1] - 24:22 felonies [1] - 28:9 felt [1] - 46:17 few [1] - 90:5 field [2] - 54:5, 54:12 file [10] - 37:22, 38:8, 38:14, 45:10, 57:25, 62:16, 62:18, 63:17, 63:21, 97:23 files [3] - 38:10, 49:24, 49:25 filing [1] - 4:14 fill [3] - 60:25, 66:22, 99:23 filled [1] - 88:24 filler [2] - 24:14, 60:16 fillers [8] - 24:6, 76:6, 76:10, 76:17, 78:16, 85:13, 85:14 final [1] - 29:11 find [3] - 16:10, 24:13, 73:5 fine [5] - 7:13, 7:21, 8:6, 46:25, 87:14 finish [1] - 94:22 finished [4] - 8:17, 37:16, 63:13, 90:7 first [12] - 10:10, 41:4,</p>	<p>47:21, 55:15, 58:16, 66:17, 66:19, 77:8, 79:12, 93:8, 96:17, 100:11 fit [1] - 40:7 five [4] - 26:17, 49:17, 60:11, 87:3 floor [4] - 23:20, 24:9, 91:6, 98:4 focused [1] - 28:12 folded [1] - 61:19 folders [1] - 61:17 follow [2] - 19:21, 19:25 following [3] - 19:12, 40:10, 86:25 follows [1] - 6:4 food [1] - 91:3 form [18] - 4:7, 7:25, 19:14, 21:10, 27:12, 29:20, 30:10, 31:14, 33:22, 36:17, 44:11, 50:3, 56:2, 57:19, 65:11, 73:8, 80:14, 89:25 formal [3] - 20:23, 36:15, 69:20 formally [1] - 46:24 forms [2] - 45:17, 52:2 forth [2] - 94:12, 105:12 forward [1] - 71:6 forwarded [1] - 55:20 found [1] - 76:12 four [5] - 15:3, 16:5, 16:14, 50:16, 52:5 fourth [2] - 23:20, 24:9 frame [1] - 16:12 Franklin [1] - 98:3 frap [1] - 74:6 FRAP [1] - 74:6 friend [4] - 42:13, 42:14, 42:15, 42:16 from [27] - 10:17, 17:3, 18:7, 18:13, 20:11, 21:23, 25:13, 25:14, 27:15, 30:25, 36:11, 41:3, 43:19, 43:21, 48:25, 50:23, 55:6, 60:7, 60:9, 62:21, 69:7, 72:18, 74:9, 84:16, 86:16, 96:11, 96:14 front [5] - 45:20, 61:21, 77:3, 82:20, 83:2 full [6] - 8:22, 39:6, 39:21, 40:2, 84:13, 99:14 full-size [1] - 40:2 further [4] - 5:8, 101:3, 101:19, 105:16 FURTHER [2] - 4:9, 4:13</p> <p style="text-align: center;">G</p> <p>GARBER [4] - 2:11, 2:16, 101:24, 102:3 gathered [1] - 46:6</p>	<p>gave [2] - 39:15, 97:19 general [2] - 65:6, 95:25 generally [1] - 16:3 generated [2] - 44:7, 56:14 gestures [1] - 6:22 get [18] - 6:15, 15:17, 17:7, 17:13, 17:17, 17:20, 18:16, 29:5, 31:7, 36:16, 36:17, 44:18, 44:22, 52:21, 61:15, 91:3, 99:14 getting [3] - 21:23, 72:18, 90:6 Giardina [2] - 11:23, 12:2 GIARDINA [1] - 1:9 give [7] - 8:22, 9:20, 22:11, 22:19, 47:14, 52:20, 100:16 given [6] - 7:10, 32:15, 62:12, 97:23, 101:11, 105:14 giving [1] - 46:18 glasses [2] - 65:14 Glenn [1] - 101:21 GLENN [2] - 2:11, 2:16 glue [1] - 61:14 go [29] - 6:12, 6:21, 13:17, 14:12, 14:23, 18:24, 19:19, 20:22, 20:24, 23:18, 24:16, 27:19, 34:2, 35:5, 37:9, 37:15, 40:23, 45:4, 47:12, 52:10, 52:24, 53:23, 53:24, 54:9, 84:8, 84:16, 90:5, 90:8, 98:14 going [30] - 7:14, 7:20, 8:16, 10:2, 16:15, 26:24, 34:4, 34:10, 38:16, 39:24, 47:19, 47:23, 48:2, 48:18, 51:8, 52:10, 52:21, 54:25, 58:2, 58:18, 62:14, 62:24, 66:9, 71:6, 72:8, 72:17, 75:4, 82:11, 83:18, 87:13 gone [1] - 16:7 good [3] - 87:13, 101:23, 101:24 got [19] - 14:12, 17:9, 24:18, 25:14, 29:7, 31:22, 44:15, 46:8, 46:10, 54:13, 61:6, 61:16, 62:8, 68:3, 68:12, 70:23, 83:25, 85:21, 88:12 gotcha [1] - 68:15 Governor [1] - 5:12 graduate [1] - 13:14 grand [3] - 9:11, 9:15, 28:6 Great [1] - 48:7 ground [1] - 6:13 guard [1] - 14:14 guess [3] - 57:7, 92:8, 100:11 guy [1] - 68:10</p>
---	---	--	--

<p>H</p> <p>had [31] - 6:9, 8:25, 9:5, 19:20, 20:6, 22:9, 23:23, 34:13, 37:19, 39:7, 44:13, 50:11, 52:7, 53:24, 53:25, 54:4, 60:6, 63:10, 70:24, 73:20, 87:17, 87:20, 89:17, 91:18, 91:23, 96:11, 96:14, 96:18, 97:7, 97:10, 98:17</p> <p>half [2] - 49:12, 61:19</p> <p>hand [2] - 48:15, 66:10</p> <p>handed [2] - 48:22, 49:24</p> <p>handle [1] - 26:25</p> <p>handled [1] - 97:17</p> <p>hands [1] - 70:13</p> <p>handwriting [2] - 86:2, 89:2</p> <p>handwritten [6] - 52:2, 67:15, 85:19, 85:22, 89:12</p> <p>Handwritten [1] - 107:16</p> <p>Hang [2] - 7:3, 52:18</p> <p>happened [1] - 57:16</p> <p>happening [1] - 88:8</p> <p>has [9] - 47:7, 57:23, 58:3, 59:22, 74:21, 75:10, 75:19, 76:6, 77:5</p> <p>head [1] - 31:22</p> <p>headquarters [1] - 23:20</p> <p>hear [3] - 18:19, 20:25, 33:14</p> <p>heard [4] - 21:17, 87:20, 96:18, 100:8</p> <p>hello [1] - 102:3</p> <p>HEREBY [1] - 4:4</p> <p>hereby [1] - 105:10</p> <p>hereinbefore [1] - 105:12</p> <p>hereto [1] - 4:6</p> <p>herself [1] - 42:16</p> <p>high [2] - 13:14, 13:16</p> <p>highway [1] - 40:21</p> <p>hold [1] - 54:16</p> <p>home [1] - 66:5</p> <p>homicide [44] - 26:23, 27:11, 28:15, 28:18, 28:22, 28:25, 29:5, 29:17, 29:23, 30:12, 31:5, 31:10, 31:12, 31:17, 31:18, 31:20, 32:2, 34:4, 34:6, 34:9, 35:24, 36:23, 36:24, 36:25, 38:8, 38:21, 40:10, 42:7, 44:2, 44:7, 53:16, 53:17, 55:20, 56:18, 69:24, 70:6, 70:14, 70:24, 72:14, 77:18, 78:3, 97:2, 97:25, 98:23</p> <p>Homicide [1] - 43:14</p> <p>homicides [7] - 32:16, 32:18, 32:22, 33:4, 33:17, 33:21, 34:2</p> <p>honestly [1] - 81:12</p> <p>hopefully [2] - 16:17, 18:22</p>	<p>hours [5] - 10:5, 10:6, 30:23, 72:10, 101:7</p> <p>house [3] - 28:3, 83:18, 84:2</p> <p>how [33] - 10:4, 15:2, 16:24, 19:4, 20:3, 22:15, 23:3, 23:6, 25:8, 25:19, 26:18, 30:11, 31:20, 32:15, 32:18, 32:21, 33:4, 33:8, 33:11, 36:2, 42:25, 43:4, 48:5, 53:18, 54:9, 56:6, 57:9, 61:17, 70:6, 73:5, 74:3, 98:11</p> <p>HUGGINS [67] - 3:10, 5:22, 7:3, 7:9, 7:16, 7:23, 8:4, 8:7, 10:16, 10:23, 15:25, 16:11, 19:14, 21:10, 27:12, 29:20, 30:10, 31:14, 32:25, 33:6, 33:10, 33:13, 33:22, 39:17, 45:7, 45:16, 46:19, 47:15, 48:5, 50:3, 52:16, 52:18, 56:2, 57:19, 58:11, 58:15, 58:18, 58:23, 59:2, 64:2, 65:11, 67:17, 69:2, 70:16, 71:12, 73:8, 73:12, 74:23, 77:21, 77:24, 80:14, 81:23, 82:17, 82:24, 83:16, 84:10, 87:7, 87:10, 87:14, 89:25, 90:8, 92:19, 93:3, 95:5, 100:15, 100:20, 101:2</p> <p>Huggins [2] - 11:5, 106:6</p> <p>hums [1] - 69:3</p> <p>hundreds [1] - 25:11</p> <p>hung [1] - 56:22</p> <p>I</p> <p>ID [2] - 23:19, 74:21</p> <p>idea [1] - 56:4</p> <p>identical [3] - 45:14, 47:7, 86:14</p> <p>Identification [3] - 88:14, 88:21, 107:18</p> <p>identification [24] - 23:19, 23:23, 24:9, 24:15, 25:17, 35:7, 41:22, 42:24, 48:9, 53:5, 59:9, 59:12, 59:16, 64:7, 67:24, 68:22, 75:3, 82:5, 85:24, 87:2, 87:16, 88:5, 88:16, 92:13</p> <p>identified [6] - 76:3, 87:6, 87:17, 89:17, 89:23, 94:24</p> <p>identify [4] - 45:24, 60:19, 64:8, 88:17</p> <p>identifying [1] - 87:23</p> <p>immediate [1] - 31:25</p> <p>implicated [1] - 35:8</p> <p>in-person [1] - 25:19</p> <p>inaccurate [6] - 34:21, 93:2, 94:5, 94:8, 95:2, 95:16</p> <p>inches [2] - 40:5</p> <p>incident [1] - 95:13</p>	<p>include [1] - 20:17</p> <p>including [1] - 32:9</p> <p>increase [1] - 29:5</p> <p>independent [6] - 82:13, 83:3, 83:16, 84:11, 100:22</p> <p>INDEX [2] - 106:3, 107:3</p> <p>index [1] - 37:12</p> <p>indicate [5] - 5:18, 59:24, 60:6, 66:13, 69:11</p> <p>indication [1] - 81:14</p> <p>individual [2] - 57:17, 76:11</p> <p>individually [1] - 49:8</p> <p>individuals [2] - 25:24, 49:2</p> <p>info [1] - 68:9</p> <p>Information [4] - 59:10, 74:25, 106:17, 107:12</p> <p>information [13] - 25:2, 25:16, 42:6, 43:25, 44:13, 46:5, 54:10, 55:19, 70:3, 71:5, 71:9, 84:14, 99:3</p> <p>informed [1] - 36:20</p> <p>initials [2] - 50:16, 50:20</p> <p>inside [3] - 10:24, 36:25, 56:17</p> <p>insist [1] - 7:14</p> <p>instances [3] - 44:21, 89:21, 94:16</p> <p>instructing [1] - 19:12</p> <p>instruction [3] - 15:6, 20:17, 22:23</p> <p>intend [1] - 46:16</p> <p>interest [4] - 23:17, 55:12, 56:5, 56:7</p> <p>interested [1] - 105:19</p> <p>interrogation [1] - 17:18</p> <p>interview [7] - 73:2, 73:10, 73:14, 73:15, 82:14, 83:14, 86:10</p> <p>Intra [14] - 52:14, 53:3, 59:7, 59:14, 64:5, 64:11, 67:22, 82:3, 106:11, 106:14, 106:19, 106:22, 107:6, 107:14</p> <p>Intra-Departmental [8] - 52:14, 53:3, 59:7, 59:14, 64:5, 64:11, 67:22, 82:3</p> <p>investigate [2] - 74:3, 91:23</p> <p>investigated [3] - 28:3, 28:10, 70:6</p> <p>investigating [1] - 36:23</p> <p>investigation [14] - 38:18, 40:11, 40:13, 41:6, 42:3, 43:20, 44:2, 44:8, 55:16, 63:20, 71:7, 97:5, 97:11, 97:15</p> <p>investigations [1] - 70:14</p> <p>involve [3] - 21:4, 21:7, 49:17</p> <p>involved [1] - 55:25</p> <p>involving [2] - 41:22, 42:25</p> <p>IS [3] - 4:4, 4:9, 4:13</p>	<p>issued [1] - 5:12</p> <p>issues [1] - 20:25</p> <p>IT [3] - 4:4, 4:9, 4:13</p> <p>itself [3] - 66:23, 70:25, 71:5</p> <p>J</p> <p>Jackie [1] - 82:15</p> <p>Jacqueline [13] - 64:16, 65:3, 66:2, 67:10, 83:14, 83:25, 84:17, 84:20, 84:24, 85:16, 86:11, 87:5, 87:15</p> <p>jail [1] - 14:13</p> <p>James [1] - 11:22</p> <p>JAMES [1] - 1:9</p> <p>January [4] - 1:13, 103:2, 106:2, 107:2</p> <p>job [3] - 19:6, 19:9, 20:3</p> <p>jobs [3] - 14:9, 14:20, 34:13</p> <p>JOHN [5] - 1:7, 1:16, 6:2, 104:9, 105:11</p> <p>John [2] - 68:9, 106:6</p> <p>join [1] - 14:5</p> <p>joined [1] - 14:22</p> <p>joining [1] - 13:25</p> <p>JOSEPH [2] - 1:11, 105:23</p> <p>Joseph [7] - 1:18, 13:5, 32:6, 32:10, 36:5, 43:23, 105:7</p> <p>jostled [1] - 61:15</p> <p>Juan [2] - 26:10, 77:9</p> <p>July [19] - 41:14, 48:8, 59:8, 75:22, 82:4, 82:11, 83:14, 84:17, 85:22, 88:15, 93:13, 93:19, 93:25, 95:15, 106:10, 106:16, 107:15, 107:17, 107:19</p> <p>jump [1] - 8:18</p> <p>June [17] - 52:15, 52:16, 53:4, 59:15, 63:25, 64:6, 64:15, 68:18, 68:21, 93:10, 93:18, 93:24, 95:15, 106:13, 106:21, 106:24, 107:10</p> <p>jury [2] - 9:11, 9:15</p> <p>K</p> <p>keep [3] - 54:23, 98:24, 99:3</p> <p>keeping [1] - 38:7</p> <p>kept [5] - 13:11, 24:17, 24:20, 44:2, 51:25</p> <p>kind [7] - 19:21, 20:14, 24:25, 44:6, 56:11, 70:2, 89:19</p> <p>knew [5] - 33:5, 67:12, 73:6, 87:24, 88:4</p> <p>know [73] - 8:15, 10:14, 10:20, 11:4, 11:8, 11:16,</p>
--	---	--	--

<p>11:22, 12:5, 12:11, 12:17, 12:23, 13:5, 17:10, 19:18, 19:22, 20:8, 21:12, 21:15, 25:23, 26:20, 32:21, 34:9, 35:3, 35:5, 35:9, 35:15, 35:18, 35:20, 36:6, 36:8, 36:20, 38:13, 38:15, 39:16, 39:17, 41:7, 45:11, 46:5, 47:9, 47:17, 49:21, 50:7, 51:2, 51:15, 54:12, 54:14, 55:9, 57:2, 57:14, 57:15, 58:6, 61:4, 61:22, 66:15, 68:7, 70:3, 71:8, 71:10, 74:7, 77:16, 78:5, 84:22, 85:13, 86:20, 88:6, 89:5, 89:18, 91:7, 94:2, 97:17, 98:9, 101:20</p> <p>knowledge [4] - 33:20, 35:13, 35:14, 94:5</p> <p>known [2] - 57:10, 74:4</p>	<p>line-level [1] - 16:20</p> <p>lineup [14] - 15:6, 15:8, 17:14, 20:17, 21:5, 26:5, 26:15, 26:20, 27:3, 44:10, 63:9, 63:19, 91:25, 92:5</p> <p>lineups [3] - 15:12, 25:19, 26:25</p> <p>list [3] - 60:10, 61:25, 79:10</p> <p>listed [3] - 26:17, 32:8, 85:10</p> <p>listen [1] - 19:22</p> <p>lists [1] - 50:16</p> <p>little [6] - 25:20, 25:21, 43:12, 61:10, 74:18</p> <p>live [2] - 95:22, 95:24</p> <p>local [1] - 96:6</p> <p>located [2] - 53:16, 98:2</p> <p>location [1] - 80:21</p> <p>Log [1] - 106:10</p> <p>log [4] - 45:22, 45:25, 46:14, 48:8</p> <p>long [6] - 8:14, 10:4, 15:2, 16:24, 20:3, 40:5</p> <p>look [24] - 7:11, 10:14, 10:24, 37:8, 37:10, 45:13, 58:15, 59:17, 60:18, 61:7, 61:8, 62:15, 65:18, 65:23, 77:14, 79:6, 79:15, 79:20, 79:24, 92:19, 93:4, 94:18, 95:3, 100:16</p> <p>looked [2] - 57:10, 72:23</p> <p>looking [16] - 24:13, 49:11, 50:9, 55:6, 57:2, 57:11, 66:25, 72:9, 75:5, 75:8, 75:18, 76:25, 78:11, 78:23, 84:22, 92:24</p> <p>looks [3] - 11:3, 60:21, 75:12</p> <p>loose [6] - 24:20, 24:24, 51:22, 61:10, 61:12, 98:16</p>	<p>31:20, 32:15, 32:18, 32:21, 33:4, 33:8, 33:11, 42:25, 43:4, 53:18, 53:20, 61:17</p> <p>March [1] - 5:13</p> <p>march [1] - 16:16</p> <p>Marilyn [6] - 37:25, 38:6, 39:15, 50:7, 54:24, 97:24</p> <p>mark [16] - 46:13, 46:23, 47:11, 52:12, 57:21, 58:5, 63:23, 67:14, 68:16, 74:20, 81:20, 85:19, 85:20, 88:11, 88:13, 92:7</p> <p>MARK [1] - 1:8</p> <p>Mark [2] - 11:16, 26:11</p> <p>marked [17] - 45:5, 48:9, 53:4, 57:25, 58:6, 59:8, 59:11, 59:15, 64:6, 64:23, 67:23, 68:22, 75:2, 82:4, 85:23, 88:15, 92:12</p> <p>marking [2] - 47:23, 48:3</p> <p>marriage [1] - 105:18</p> <p>Marty [3] - 68:11, 68:12, 68:13</p> <p>Mary [1] - 68:10</p> <p>MASSECHIA [1] - 1:10</p> <p>Massechia [3] - 12:18, 12:21, 26:13</p> <p>material [4] - 15:19, 15:20, 21:8, 21:15</p> <p>materials [1] - 20:20</p> <p>matter [2] - 82:23, 105:19</p> <p>matters [1] - 16:10</p> <p>may [10] - 4:10, 8:15, 16:7, 21:21, 21:22, 28:11, 61:12, 74:4, 81:16, 90:2</p> <p>May [3] - 11:3, 41:18</p> <p>maybe [12] - 6:13, 15:3, 20:23, 26:11, 31:23, 38:20, 40:5, 46:24, 56:9, 71:20, 81:14, 86:13</p> <p>me [34] - 8:19, 9:2, 10:4, 10:18, 10:19, 14:17, 15:17, 18:18, 18:19, 21:14, 22:19, 42:9, 43:19, 44:15, 50:23, 52:20, 55:6, 55:14, 55:22, 58:15, 59:18, 66:2, 66:15, 70:21, 75:14, 77:14, 81:9, 93:18, 94:18, 94:22, 95:3, 100:16, 104:14, 105:13</p> <p>mean [17] - 15:7, 25:22, 25:23, 26:7, 36:8, 49:21, 51:5, 51:19, 51:21, 57:4, 63:10, 67:7, 70:18, 71:15, 80:23, 90:21, 91:6</p> <p>meaning [12] - 15:12, 15:19, 19:11, 21:21, 37:13, 39:7, 47:20, 65:8, 66:18, 69:15, 69:21, 77:12</p> <p>Means [28] - 35:9, 35:24, 38:17, 40:19, 41:5, 41:17, 41:21, 42:3, 42:14, 42:16,</p>	<p>42:24, 43:5, 49:17, 50:12, 50:24, 51:4, 56:14, 57:12, 69:24, 72:14, 72:19, 73:3, 73:20, 73:24, 74:16, 77:17, 78:3, 91:19</p> <p>means [1] - 21:12</p> <p>Means's [4] - 42:12, 42:15, 42:18, 43:2</p> <p>meant [1] - 92:23</p> <p>medical [1] - 8:21</p> <p>members [1] - 84:5</p> <p>memo [13] - 38:23, 38:25, 39:6, 39:11, 39:18, 39:21, 39:25, 40:12, 51:9, 51:13, 86:17, 86:22, 98:15</p> <p>memorandum [1] - 44:6</p> <p>memory [2] - 16:6, 41:8</p> <p>memos [1] - 43:24</p> <p>mention [1] - 7:20</p> <p>mentioned [1] - 99:7</p> <p>met [3] - 9:25, 10:4, 10:7</p> <p>might [13] - 20:6, 26:13, 43:11, 47:4, 51:5, 54:19, 55:24, 57:13, 57:17, 76:3, 78:8, 78:9</p> <p>mind [2] - 7:15, 95:5</p> <p>MINOR [1] - 1:8</p> <p>Minor [10] - 11:9, 11:12, 48:14, 50:21, 69:19, 69:22, 83:19, 84:7, 84:15, 88:3</p> <p>minute [1] - 94:18</p> <p>minutes [3] - 52:25, 90:6, 95:11</p> <p>missed [1] - 32:25</p> <p>mistake [1] - 93:9</p> <p>moment [5] - 7:4, 52:20, 62:15, 93:4, 100:16</p> <p>Montgomery [1] - 35:16</p> <p>months [4] - 15:4, 16:5, 16:14, 20:5</p> <p>Morales [2] - 26:10, 77:5</p> <p>Morales's [3] - 77:7, 78:6, 100:23</p> <p>morning [1] - 31:6</p> <p>most [3] - 26:22, 41:7, 47:4</p> <p>move [1] - 16:15</p> <p>moved [1] - 61:15</p> <p>MR [56] - 5:21, 6:6, 7:7, 7:13, 7:19, 7:24, 8:5, 8:10, 16:4, 16:13, 18:18, 18:21, 33:3, 33:8, 33:12, 45:5, 45:9, 46:13, 47:5, 47:16, 48:7, 52:12, 52:17, 52:23, 53:7, 57:21, 58:13, 58:20, 58:25, 59:4, 63:23, 64:3, 67:14, 67:19, 68:16, 73:11, 74:20, 74:24, 81:19, 81:25, 82:21, 84:13, 85:18, 87:12, 88:10, 90:4, 90:14, 92:7, 95:8, 100:11, 100:18, 101:5, 101:18, 101:24, 102:2, 102:3</p>
L			
<p>Lanc [6] - 37:25, 38:6, 39:15, 50:7, 54:24, 97:24</p> <p>larcenies [4] - 28:5, 28:6</p> <p>large [2] - 40:7, 63:17</p> <p>last [11] - 11:11, 11:19, 11:25, 12:8, 12:14, 12:20, 13:2, 13:7, 33:2, 57:19, 95:6</p> <p>later [2] - 16:10, 35:6</p> <p>LAW [1] - 3:4</p> <p>law [3] - 14:9, 14:20, 34:13</p> <p>lawsuit [2] - 11:6, 96:19</p> <p>lead [4] - 19:21, 69:25, 70:4, 72:5</p> <p>leaf [1] - 51:22</p> <p>learn [2] - 22:15, 23:6</p> <p>learned [5] - 19:4, 23:3, 25:19, 96:17, 97:10</p> <p>learning [2] - 20:8, 20:11</p> <p>least [2] - 8:7, 13:21</p> <p>leave [3] - 39:13, 89:24, 99:10</p> <p>led [1] - 94:12</p> <p>left [3] - 39:14, 48:15, 89:23</p> <p>left-hand [1] - 48:15</p> <p>less [3] - 13:20, 26:25, 28:22</p> <p>letter [2] - 10:24, 11:2</p> <p>letting [1] - 65:10</p> <p>level [2] - 16:2, 16:20</p> <p>lieu [1] - 5:9</p> <p>Lieutenant [4] - 32:7, 48:18, 48:22, 70:9</p> <p>lighting [1] - 65:15</p> <p>Linda [9] - 42:20, 50:12, 50:24, 51:4, 72:19, 73:2, 73:20, 73:23, 74:16</p> <p>line [2] - 16:20, 89:9</p>			
	M		
	<p>m.huggins@city [1] - 3:11</p> <p>m.huggins@city-buffalo.com [1] - 3:11</p> <p>made [5] - 24:5, 55:23, 66:14, 79:5, 87:15</p> <p>Maeve [4] - 9:25, 10:7, 11:5, 45:6</p> <p>MAEVE [1] - 3:10</p> <p>mail [1] - 10:13</p> <p>make [13] - 6:15, 8:13, 16:17, 23:3, 23:6, 23:10, 24:3, 32:16, 40:16, 51:12, 57:24, 65:15, 87:10</p> <p>makeup [1] - 56:9</p> <p>making [2] - 34:21, 66:21</p> <p>manner [1] - 5:16</p> <p>many [14] - 25:8, 30:11,</p>		

<p>MS [64] - 5:22, 7:3, 7:9, 7:16, 7:23, 8:4, 8:7, 10:16, 10:23, 15:25, 16:11, 19:14, 21:10, 27:12, 29:20, 30:10, 31:14, 32:25, 33:6, 33:10, 33:13, 33:22, 39:17, 45:7, 45:16, 46:19, 47:15, 48:5, 50:3, 52:16, 52:18, 56:2, 57:19, 58:11, 58:15, 59:2, 64:2, 65:11, 67:17, 69:2, 70:16, 71:12, 73:8, 73:12, 74:23, 77:21, 77:24, 80:14, 81:23, 82:17, 82:24, 83:16, 84:10, 87:7, 87:10, 87:14, 89:25, 90:8, 92:19, 93:3, 95:5, 100:15, 100:20, 101:2</p> <p>mug [16] - 60:4, 60:7, 60:11, 61:25, 62:25, 75:25, 76:2, 79:10, 79:12, 79:17, 79:25, 80:4, 80:25, 85:3, 85:5, 85:9</p> <p>multiple [1] - 49:13</p> <p>murder [9] - 35:8, 38:16, 40:19, 41:21, 49:18, 55:25, 56:14, 57:12, 91:20</p> <p>murdered [1] - 41:17</p> <p>myself [1] - 61:13</p>	<p>nice [1] - 6:15</p> <p>night [1] - 30:22</p> <p>no [97] - 6:22, 8:6, 8:24, 9:7, 10:9, 11:7, 13:16, 13:24, 14:4, 14:21, 15:10, 15:15, 15:23, 17:16, 19:5, 20:2, 20:18, 21:6, 21:9, 21:13, 21:17, 22:4, 22:8, 22:25, 24:12, 27:4, 29:3, 31:13, 32:11, 32:23, 33:18, 34:15, 34:22, 35:10, 35:17, 35:21, 37:17, 38:4, 39:5, 39:12, 39:19, 40:25, 42:4, 42:19, 43:11, 48:23, 50:8, 50:25, 52:9, 54:7, 54:20, 57:6, 58:20, 61:20, 62:6, 63:12, 65:4, 67:13, 69:4, 70:2, 70:19, 73:7, 74:13, 74:17, 77:4, 79:19, 80:2, 80:9, 81:2, 81:17, 82:16, 83:6, 83:23, 84:3, 84:9, 84:18, 86:18, 87:22, 88:2, 91:16, 91:21, 91:24, 92:6, 95:18, 96:5, 96:12, 96:15, 97:19, 99:2, 100:4, 100:10, 100:25, 101:18, 105:18</p> <p>No [10] - 24:23, 48:12, 52:17, 59:11, 67:23, 75:2, 93:18, 106:17, 107:8, 107:12</p> <p>nobody [2] - 31:2, 31:3</p> <p>nonparties [1] - 7:14</p> <p>normal [3] - 33:20, 47:18</p> <p>Nos [2] - 92:12, 107:21</p> <p>Notary [2] - 1:19, 105:8</p> <p>notation [2] - 68:8, 72:18</p> <p>note [1] - 51:15</p> <p>notebook [15] - 43:21, 51:16, 51:20, 51:21, 98:18, 98:20, 98:21, 98:25, 99:5, 99:8, 99:11, 99:14, 99:16, 99:24, 100:3</p> <p>noted [1] - 102:7</p> <p>notes [9] - 43:20, 51:13, 52:2, 54:12, 54:17, 85:22, 98:22, 100:17, 107:16</p> <p>nothing [1] - 101:16</p> <p>notice [3] - 1:18, 7:10, 10:10</p> <p>noticed [2] - 7:17, 7:25</p> <p>notices [1] - 8:2</p> <p>nowhere [1] - 75:16</p> <p>Number [1] - 5:12</p> <p>number [39] - 27:21, 27:22, 33:20, 37:14, 45:6, 45:8, 46:15, 46:21, 47:3, 47:22, 57:24, 58:3, 58:18, 58:20, 60:4, 61:23, 62:9, 62:10, 62:12, 62:13, 62:16, 62:18, 62:22, 63:6, 75:25, 77:12, 79:12, 79:17, 79:21, 79:25, 80:4, 81:21, 85:5, 85:9, 87:3,</p>	<p>89:5, 93:10, 98:10</p> <p>number-wise [1] - 98:10</p> <p>numbers [8] - 38:10, 46:16, 47:20, 60:11, 62:25, 76:16, 79:10, 85:3</p> <p>NY [3] - 2:8, 2:15, 3:9</p> <p>NYPD [1] - 71:18</p> <p style="text-align: center;">O</p> <p>oath [3] - 4:12, 5:9, 5:10</p> <p>objection [2] - 29:20, 73:13</p> <p>objections [2] - 4:6, 5:16</p> <p>obligation [4] - 17:21, 21:20, 22:10, 97:8</p> <p>occasion [1] - 93:11</p> <p>OF [5] - 1:2, 1:7, 3:4, 105:3, 105:5</p> <p>off [12] - 18:20, 31:22, 46:10, 52:24, 58:10, 58:17, 59:5, 90:5, 90:8, 90:11, 101:7, 102:6</p> <p>offhand [1] - 42:19</p> <p>office [10] - 37:21, 39:14, 45:17, 53:17, 54:14, 55:20, 97:22, 98:6, 98:7, 98:12</p> <p>OFFICE [1] - 3:5</p> <p>Officer [4] - 8:12, 77:5, 77:7, 78:5</p> <p>officer [13] - 4:11, 6:7, 16:19, 16:20, 35:19, 36:12, 39:22, 55:4, 61:24, 70:24, 71:10, 75:16, 89:11</p> <p>officer's [1] - 56:11</p> <p>officers [14] - 7:15, 8:6, 20:12, 26:17, 32:13, 34:9, 55:17, 55:23, 56:25, 57:5, 57:8, 68:6, 71:23, 72:3</p> <p>offline [1] - 101:22</p> <p>old [1] - 13:11</p> <p>on-the-job [3] - 19:6, 19:9, 20:3</p> <p>once [3] - 43:8, 63:8, 65:16</p> <p>one [40] - 7:3, 8:8, 24:4, 26:16, 27:5, 27:16, 29:22, 37:14, 38:8, 38:13, 45:9, 45:15, 47:16, 49:8, 49:23, 51:22, 57:22, 58:7, 58:22, 60:14, 61:18, 61:21, 67:5, 70:5, 70:17, 70:24, 71:22, 72:4, 72:17, 74:21, 79:2, 81:18, 84:24, 85:2, 85:20, 88:10, 89:23, 93:21, 99:4, 100:16</p> <p>ones [1] - 76:12</p> <p>only [4] - 8:2, 10:25, 30:15, 49:16</p> <p>open [1] - 65:17</p> <p>opposing [1] - 100:12</p> <p>Order [1] - 5:11</p> <p>ordinary [1] - 57:5</p>	<p>organized [2] - 24:10, 24:21</p> <p>original [1] - 54:17</p> <p>originally [1] - 92:23</p> <p>originated [1] - 55:15</p> <p>Ortiz [1] - 26:10</p> <p>outcome [1] - 105:19</p> <p>outside [2] - 91:15, 95:24</p> <p>overtime [3] - 29:7, 29:11, 29:17</p> <p>own [3] - 39:4, 53:22, 53:25</p> <p style="text-align: center;">P</p> <p>P-73 [11] - 43:15, 43:17, 44:5, 44:24, 53:10, 54:9, 63:24, 67:15, 71:11, 81:20, 82:6</p> <p>P-73s [1] - 52:3</p> <p>P.C [1] - 2:11</p> <p>p.m [1] - 102:7</p> <p>packet [1] - 36:16</p> <p>pads [1] - 40:2</p> <p>PAGE [3] - 106:5, 106:9, 107:5</p> <p>page [11] - 5:24, 61:5, 61:8, 61:21, 62:2, 77:3, 85:20, 86:16, 93:8, 93:17, 99:4</p> <p>PAGE/LINE [1] - 103:6</p> <p>pages [6] - 39:7, 40:12, 61:18, 62:4, 99:16, 100:3</p> <p>PANOUSIERIS [1] - 3:14</p> <p>paper [10] - 46:7, 51:15, 51:17, 51:19, 51:20, 51:21, 54:13, 86:19, 86:20, 98:16</p> <p>papers [1] - 60:22</p> <p>paperwork [1] - 44:11</p> <p>paragraph [1] - 75:25</p> <p>part [7] - 28:20, 45:10, 57:17, 63:21, 72:14, 78:7, 94:8</p> <p>participating [1] - 5:3</p> <p>particular [12] - 19:10, 19:24, 23:11, 24:11, 27:23, 30:5, 37:19, 46:11, 71:6, 78:22, 91:11, 98:23</p> <p>particularly [1] - 33:16</p> <p>parties [3] - 4:6, 5:14, 105:17</p> <p>partner [2] - 69:15, 69:22</p> <p>parts [1] - 30:3</p> <p>party [1] - 65:19</p> <p>passed [1] - 50:8</p> <p>patrol [3] - 16:19, 55:17, 57:8</p> <p>patrolman [6] - 16:23, 16:24, 17:3, 17:7, 17:13, 18:2</p> <p>Paul [1] - 35:20</p> <p>pause [4] - 53:6, 93:7,</p>
--	---	--	--

<p>94:19, 95:4 Pause [1] - 18:17 paused [1] - 7:19 pay [1] - 29:7 PD [2] - 29:24, 84:16 PDF [1] - 45:17 PDFs [1] - 47:2 pen [1] - 52:22 pension [2] - 29:10, 29:19 people [9] - 15:8, 19:11, 23:24, 26:22, 32:8, 42:5, 42:6, 42:9, 91:7 percent [1] - 51:7 perfect [1] - 16:6 performed [1] - 63:19 period [2] - 65:22, 84:13 person [19] - 5:10, 17:15, 23:17, 23:18, 25:14, 25:19, 43:9, 43:12, 55:12, 56:5, 56:7, 65:21, 70:5, 72:4, 73:24, 76:2, 89:11, 89:16, 89:22 person's [1] - 23:16 personally [5] - 37:17, 37:18, 61:13, 91:9, 99:17 petit [1] - 28:6 phone [4] - 43:10, 72:18, 72:22, 73:19 photo [50] - 23:4, 23:7, 23:10, 23:16, 23:25, 24:3, 41:8, 59:20, 59:25, 60:16, 60:23, 61:4, 63:9, 63:19, 64:12, 64:16, 64:19, 64:22, 65:3, 65:7, 65:17, 66:7, 66:14, 66:19, 66:23, 67:8, 67:11, 74:22, 75:6, 76:20, 76:22, 78:6, 78:13, 78:17, 79:2, 80:11, 80:18, 80:22, 80:23, 81:8, 81:15, 83:19, 84:5, 84:20, 84:23, 85:8, 85:15, 88:14, 89:5, 93:12 Photo [7] - 59:10, 67:2, 74:25, 88:20, 106:17, 107:11, 107:18 photo-Array [1] - 88:14 Photo-Array [2] - 88:20, 107:18 photocopy [1] - 40:16 photograph [5] - 15:12, 17:15, 60:15, 78:14, 89:12 photographs [9] - 15:13, 23:24, 24:5, 24:10, 24:14, 25:8, 25:12, 63:2, 76:10 photos [13] - 24:17, 24:20, 24:21, 24:25, 44:10, 59:19, 61:2, 61:10, 62:3, 75:13, 76:12, 76:21, 76:24 phrase [1] - 71:15 physical [3] - 15:7, 26:25, 56:9 physically [2] - 5:4, 98:2</p>	<p>pick [1] - 76:10 picked [3] - 78:8, 78:16, 89:5 picture [1] - 23:18 pictures [1] - 78:8 piece [3] - 51:14, 86:19, 86:20 pieces [3] - 51:16, 51:18, 61:20 Pirozzi [2] - 1:18, 105:7 PIROZZI [1] - 105:23 place [6] - 20:4, 20:24, 36:25, 40:20, 49:23, 90:22 placed [5] - 35:6, 59:20, 60:15, 91:25, 92:4 places [1] - 52:6 Plaintiff [1] - 1:5 plaintiff [4] - 1:17, 2:5, 2:12, 5:21 plan [1] - 19:13 PLLC [1] - 2:4 plus [1] - 77:15 pocket [1] - 40:8 pockets [1] - 61:11 point [9] - 7:4, 23:2, 28:14, 35:23, 44:20, 46:23, 51:4, 56:14, 65:21 police [10] - 13:25, 14:3, 14:22, 23:20, 29:12, 35:13, 35:19, 57:5, 68:6, 89:10 Police [24] - 14:6, 18:8, 27:6, 34:17, 35:2, 43:14, 52:13, 53:2, 59:6, 59:13, 64:4, 64:10, 67:21, 68:20, 82:2, 88:19, 91:11, 106:11, 106:14, 106:19, 106:22, 107:6, 107:9, 107:13 policy [1] - 22:5 Pope [1] - 35:20 portion [1] - 7:5 position [4] - 14:16, 18:3, 18:5, 87:2 possible [7] - 17:19, 55:11, 61:13, 78:25, 79:4, 90:3, 99:25 possibly [1] - 99:6 practice [3] - 47:18, 47:19, 84:4 precinct [6] - 23:9, 27:21, 27:22, 28:7, 28:9, 28:10 prepare [2] - 9:23, 10:8 presence [1] - 88:8 PRESENT [1] - 3:13 present [1] - 5:5 presenting [1] - 65:9 presently [1] - 100:21 pretty [2] - 8:3, 90:6 previous [1] - 33:7 primary [1] - 72:5 printed [2] - 45:19, 86:5 printing [1] - 86:3</p>	<p>prison [2] - 96:11, 96:14 privileged [1] - 10:22 probably [24] - 7:14, 11:13, 11:21, 12:3, 13:20, 14:17, 14:18, 17:9, 23:8, 26:9, 28:19, 36:4, 38:19, 39:14, 40:4, 40:17, 54:18, 56:8, 57:13, 78:10, 91:8, 97:24 problem [3] - 8:6, 48:12, 65:19 procedure [11] - 23:11, 23:14, 35:7, 36:16, 39:20, 41:22, 42:25, 65:7, 88:5, 89:15, 89:18 procedures [6] - 15:7, 15:8, 17:14, 20:17, 21:5, 26:5 proceedings [2] - 9:12, 9:16 process [4] - 19:17, 24:14, 66:19, 97:5 Professional [2] - 1:19, 105:8 promoted [1] - 18:2 promotion [1] - 29:2 prosecutor [2] - 21:21, 22:11 provided [1] - 97:14 Public [2] - 1:20, 105:8 pull [1] - 45:3 purpose [1] - 6:20 purposes [1] - 46:19 purse [1] - 28:4 pursuant [2] - 1:17, 5:11 put [15] - 15:13, 26:19, 27:3, 37:22, 46:7, 54:14, 54:21, 63:16, 67:8, 71:11, 76:22, 76:23, 78:20, 94:4, 99:19</p>	<p>RE [1] - 101:4 re [2] - 47:23, 48:3 RE-EXAMINATION [1] - 101:4 re-marking [2] - 47:23, 48:3 read [3] - 82:13, 87:7, 87:9 reading [3] - 55:2, 83:11, 95:6 really [10] - 6:14, 13:11, 20:18, 21:13, 29:3, 33:18, 47:10, 70:2, 71:8, 82:16 reason [1] - 8:21 recall [10] - 17:24, 26:14, 36:19, 43:8, 46:12, 65:4, 68:7, 74:2, 74:5, 74:13 receive [6] - 15:6, 15:11, 15:16, 15:18, 19:6, 36:2 received [2] - 19:9, 71:10 recess [1] - 90:12 recollection [8] - 42:21, 74:12, 82:12, 83:3, 83:8, 83:11, 84:12, 100:22 record [28] - 5:20, 9:21, 10:16, 18:20, 18:22, 22:10, 34:12, 37:20, 44:23, 45:16, 45:24, 46:25, 52:7, 52:24, 58:8, 58:10, 58:17, 59:5, 60:20, 64:9, 66:6, 70:25, 90:5, 90:9, 90:11, 94:24, 102:6, 105:14 recorded [4] - 6:20, 7:6, 7:12, 80:23 recording [2] - 7:18, 54:9 records [1] - 49:13 redo [1] - 87:13 referring [4] - 27:13, 31:15, 45:22, 82:18 refresh [2] - 42:21, 74:11 refreshed [2] - 83:8, 83:10 regard [2] - 44:7, 85:12 regarding [15] - 15:6, 15:12, 15:19, 17:14, 17:18, 17:21, 20:13, 22:5, 22:23, 26:4, 37:19, 43:25, 49:13, 68:3, 98:23 regards [1] - 41:5 REGINALD [1] - 1:8 Reginald [2] - 11:8, 69:18 Registered [2] - 1:19, 105:7 regularly [1] - 69:17 reiterating [1] - 83:12 related [1] - 105:17 relating [5] - 36:24, 38:8, 40:12, 49:22, 97:14 released [2] - 96:11, 96:14 remain [1] - 102:4 remark [1] - 67:2 remarks [1] - 81:3 remember [23] - 22:4, 22:25, 24:12, 24:24, 32:24, 33:15, 39:9, 41:4, 41:10,</p>
Q			
<p>question [23] - 6:18, 8:17, 16:9, 27:14, 33:2, 33:7, 33:11, 44:15, 46:2, 57:20, 66:16, 77:25, 81:4, 81:11, 82:25, 87:8, 87:9, 87:11, 87:12, 90:2, 93:9, 94:22, 95:6 questions [3] - 8:15, 100:13, 101:19 quick [1] - 16:17</p>			
R			
<p>radio [1] - 57:13 rambling [1] - 8:14 ran [1] - 99:16 RANIERO [1] - 1:10 Raniero [2] - 12:17, 26:12 rather [2] - 48:3, 61:8</p>			

<p>41:16, 42:2, 42:17, 51:3, 53:18, 65:2, 73:4, 73:7, 74:15, 77:7, 83:13, 83:21, 83:24, 88:8</p> <p>remotely [2] - 5:7, 5:11</p> <p>REMOTELY [1] - 2:2</p> <p>repeat [2] - 59:2, 77:24</p> <p>report [7] - 37:14, 37:21, 37:23, 38:2, 48:24, 63:16, 69:4</p> <p>Report [2] - 68:21, 107:10</p> <p>REPORTER [1] - 5:2</p> <p>Reporter [2] - 1:19, 105:8</p> <p>reporter [2] - 47:7, 69:3</p> <p>reporting [2] - 5:6, 5:17</p> <p>reports [4] - 38:7, 50:11, 68:18, 68:24</p> <p>reputation [2] - 35:12, 91:11</p> <p>request [5] - 44:14, 59:19, 66:14, 66:22, 78:13</p> <p>requested [4] - 44:10, 61:24, 75:13, 75:14</p> <p>required [1] - 23:12</p> <p>reserved [1] - 4:7</p> <p>respect [6] - 42:2, 77:17, 78:3, 91:18, 94:6, 96:25</p> <p>respective [1] - 4:5</p> <p>responsible [1] - 38:6</p> <p>rest [2] - 8:9, 100:6</p> <p>retire [1] - 18:7</p> <p>retired [5] - 11:14, 13:12, 27:16, 39:10, 39:22</p> <p>retirement [1] - 18:13</p> <p>review [2] - 65:10, 92:17</p> <p>reviewed [2] - 66:3, 83:8</p> <p>reviewing [1] - 95:11</p> <p>Rickner [2] - 106:6, 106:7</p> <p>RICKNER [56] - 2:4, 2:9, 5:21, 6:6, 7:7, 7:13, 7:19, 7:24, 8:5, 8:10, 16:4, 16:13, 18:18, 18:21, 33:3, 33:8, 33:12, 45:5, 45:9, 46:13, 47:5, 47:16, 48:7, 52:12, 52:17, 52:23, 53:7, 57:21, 58:13, 58:20, 58:25, 59:4, 63:23, 64:3, 67:14, 67:19, 68:16, 73:11, 74:20, 74:24, 81:19, 81:25, 82:21, 84:13, 85:18, 87:12, 88:10, 90:4, 90:14, 92:7, 95:8, 100:11, 100:18, 101:5, 101:18, 102:2</p> <p>riding [1] - 56:10</p> <p>RIGA [1] - 1:11</p> <p>Riga [8] - 13:5, 13:8, 32:6, 32:10, 36:5, 36:12, 43:23, 70:10</p> <p>right [27] - 7:23, 15:17, 24:24, 26:14, 33:12, 44:19, 48:10, 48:19, 52:10, 60:10, 66:10, 68:9, 68:14, 70:19,</p>	<p>71:23, 76:7, 77:18, 78:14, 78:17, 81:22, 85:7, 85:12, 90:4, 90:23, 96:22, 97:15, 98:18</p> <p>right-hand [1] - 66:10</p> <p>ring [1] - 86:20</p> <p>rip [1] - 40:15</p> <p>ripped [1] - 40:18</p> <p>ROB [1] - 2:9</p> <p>Rob [1] - 101:25</p> <p>Robert [1] - 12:11</p> <p>ROBERT [1] - 1:10</p> <p>role [1] - 71:6</p> <p>room [2] - 5:5, 65:15</p> <p>Room [1] - 3:8</p> <p>roughly [3] - 28:2, 33:20, 86:13</p> <p>RPR [1] - 105:23</p> <p>rules [1] - 6:13</p> <p>run [1] - 100:2</p> <p>Russell [1] - 35:16</p>	<p>98:4, 101:22</p> <p>section [2] - 89:4, 94:23</p> <p>sections [1] - 88:23</p> <p>secure [1] - 29:18</p> <p>see [23] - 7:17, 18:18, 42:11, 45:2, 60:12, 65:18, 69:9, 72:11, 79:22, 79:25, 80:5, 81:16, 81:20, 83:12, 84:17, 92:14, 92:25, 94:15, 94:24, 95:15, 96:8, 96:10, 100:2</p> <p>seeing [2] - 81:6, 81:14</p> <p>seminars [3] - 20:22, 21:4, 21:7</p> <p>sent [5] - 10:13, 10:24, 11:2, 25:16, 42:6</p> <p>Sentiff [2] - 68:13, 68:14</p> <p>separate [1] - 61:20</p> <p>sequence [1] - 88:11</p> <p>Sergeant [1] - 48:13</p> <p>set [4] - 67:3, 78:9, 78:10, 105:12</p> <p>sets [1] - 52:5</p> <p>several [3] - 41:20, 42:4, 42:9</p> <p>share [1] - 45:12</p> <p>shared [2] - 45:17, 70:3</p> <p>she [19] - 37:22, 50:8, 50:14, 63:16, 65:14, 66:2, 66:4, 67:12, 72:22, 72:23, 73:5, 74:4, 87:6, 87:16, 87:24, 88:4, 94:3, 97:21, 97:22</p> <p>sheet [5] - 15:13, 61:11, 61:18, 74:21, 75:10</p> <p>sheets [3] - 98:16, 99:8, 99:10</p> <p>Sheriff's [1] - 14:13</p> <p>shift [9] - 29:23, 30:5, 30:16, 30:17, 30:21, 30:22, 30:23</p> <p>shifts [1] - 30:12</p> <p>shooting [2] - 57:15, 57:18</p> <p>short [1] - 13:18</p> <p>shortly [1] - 38:20</p> <p>shot [2] - 60:7, 76:2</p> <p>shots [2] - 61:25, 80:25</p> <p>should [2] - 85:5, 85:11</p> <p>shouldn't [1] - 71:20</p> <p>show [3] - 15:14, 60:23, 93:11</p> <p>showed [9] - 63:10, 64:16, 64:23, 65:7, 67:10, 84:20, 84:24, 85:3, 93:14</p> <p>showing [2] - 65:2, 83:19</p> <p>shown [4] - 63:13, 64:13, 66:7, 85:15</p> <p>shows [2] - 61:22, 75:15</p> <p>signature [2] - 75:19, 88:23</p> <p>signed [1] - 4:10</p> <p>significance [1] - 89:6</p>	<p>similar [2] - 68:23, 86:14</p> <p>since [3] - 9:5, 13:12, 34:12</p> <p>single [1] - 99:23</p> <p>sit [2] - 39:16, 73:23</p> <p>sitting [1] - 61:10</p> <p>six [2] - 15:13, 20:4</p> <p>size [2] - 39:25, 40:2</p> <p>skip [1] - 74:18</p> <p>slices [1] - 61:3</p> <p>slightly [3] - 42:22, 61:14, 95:9</p> <p>slip [1] - 61:4</p> <p>slot [1] - 63:6</p> <p>slots [1] - 78:21</p> <p>small [1] - 70:12</p> <p>smaller [3] - 40:3, 40:4, 86:23</p> <p>smarter [1] - 46:17</p> <p>snatchings [1] - 28:5</p> <p>so-called [1] - 70:4</p> <p>some [23] - 6:13, 14:24, 16:19, 19:12, 23:2, 24:22, 28:14, 33:25, 35:22, 36:15, 36:25, 44:20, 45:18, 46:23, 49:7, 56:14, 60:7, 62:5, 62:6, 83:7, 89:21, 93:23, 99:10</p> <p>somebody [12] - 23:21, 31:6, 31:24, 35:3, 35:15, 35:20, 36:22, 37:13, 62:11, 69:16, 73:17, 93:24</p> <p>somehow [1] - 46:23</p> <p>someone [1] - 50:11</p> <p>someplace [2] - 39:8, 81:13</p> <p>something [6] - 20:5, 36:17, 41:19, 65:20, 70:7, 81:5</p> <p>sometime [1] - 9:4</p> <p>sometimes [3] - 44:17, 54:3, 99:7</p> <p>somewhere [2] - 17:4, 39:13</p> <p>sorry [7] - 18:16, 32:25, 33:13, 48:10, 69:6, 81:18, 93:19</p> <p>sort [7] - 14:24, 16:16, 16:19, 19:12, 36:15, 60:24, 99:13</p> <p>sound [1] - 39:24</p> <p>source [1] - 84:14</p> <p>speaking [1] - 51:4</p> <p>specific [4] - 27:9, 31:11, 83:12, 84:23</p> <p>specifically [4] - 16:5, 16:13, 50:25, 51:2</p> <p>specify [1] - 70:21</p> <p>spent [1] - 95:10</p> <p>spot [1] - 98:24</p> <p>Spread [4] - 59:10, 74:25, 106:17, 107:11</p> <p>squad [7] - 13:11, 26:22, 26:23, 27:6, 27:10, 27:17,</p>
---	--	--	--

<p>30:13 Square ^[1] - 3:7 ss ^[1] - 105:4 STAMBACH ^[1] - 1:8 Stambach ^[3] - 11:17, 11:20, 26:11 stamp ^[4] - 57:23, 58:4, 67:17, 85:21 stamped ^[1] - 67:16 stand ^[1] - 95:19 standard ^[1] - 89:15 stands ^[1] - 74:14 staple ^[1] - 62:7 start ^[3] - 28:17, 37:13, 66:21 started ^[4] - 16:19, 18:15, 18:23, 92:20 starting ^[1] - 41:3 STATE ^[1] - 105:3 State ^[2] - 1:20, 105:9 statement ^[4] - 34:21, 37:8, 44:19, 44:23 statements ^[2] - 6:23, 52:4 STATES ^[1] - 1:2 stating ^[2] - 5:19, 57:15 step ^[1] - 75:17 STEPHANIE ^[1] - 3:14 steps ^[2] - 65:8, 70:7 still ^[3] - 8:16, 50:7, 95:22 STIPULATED ^[3] - 4:4, 4:9, 4:13 STIPULATIONS ^[1] - 4:2 stop ^[3] - 55:18, 55:23, 84:13 stopped ^[3] - 17:25, 55:18, 68:10 store ^[1] - 39:8 stored ^[3] - 37:10, 44:2, 49:20 storing ^[1] - 39:21 street ^[1] - 40:20 Street ^[2] - 2:6, 98:3 structure ^[1] - 19:10 stupid ^[1] - 39:24 submit ^[4] - 23:17, 44:11, 44:13, 49:8 submitted ^[3] - 23:15, 23:16, 44:12 subscribe ^[1] - 96:3 Subscribed ^[1] - 104:13 substance ^[1] - 44:24 sufficient ^[1] - 65:16 suitable ^[1] - 76:13 Suite ^[1] - 2:7 sum ^[1] - 44:24 superior ^[5] - 31:25, 32:13, 36:11, 71:23, 72:3 supervisors ^[1] - 70:13 suspect ^[5] - 23:16, 41:9, 41:11, 55:11, 72:23 sworn ^[4] - 4:10, 6:4,</p>	<p>104:13, 105:13</p> <p style="text-align: center;">T</p> <p>tavern ^[2] - 90:20, 90:21 tear ^[1] - 99:8 technician ^[4] - 37:21, 37:24, 48:24, 63:16 technicians ^[1] - 38:3 techniques ^[1] - 17:18 ten ^[3] - 31:23, 32:8, 32:12 term ^[2] - 21:11, 36:7 terminology ^[1] - 71:13 terms ^[1] - 16:2 testified ^[4] - 6:4, 9:9, 9:11, 9:14 testifying ^[2] - 92:21, 101:6 testimony ^[12] - 8:23, 92:9, 92:11, 92:17, 92:24, 95:2, 95:11, 95:16, 95:19, 101:10, 105:14, 107:20 THE ^[9] - 1:7, 5:2, 21:13, 30:14, 39:19, 71:17, 77:23, 92:22, 93:6 themselves ^[1] - 73:18 therefore ^[1] - 70:13 thinking ^[1] - 101:10 three ^[9] - 30:3, 30:7, 40:5, 48:25, 49:5, 86:20, 98:13, 98:17, 101:7 three-ring ^[1] - 86:20 throughout ^[1] - 97:5 throw ^[1] - 54:19 timing ^[1] - 90:9 title ^[2] - 16:22, 46:9 today ^[6] - 8:23, 9:24, 92:20, 95:20, 101:11, 101:16 together ^[6] - 26:20, 27:3, 49:21, 67:8, 69:12, 76:22 Tomika ^[24] - 35:8, 35:24, 38:17, 40:19, 41:5, 41:17, 41:21, 42:3, 42:12, 42:14, 42:15, 42:16, 42:18, 42:24, 43:2, 43:5, 49:17, 56:13, 57:12, 69:24, 72:14, 77:17, 78:3, 91:19 took ^[4] - 40:20, 43:21, 54:12, 71:4 top ^[5] - 31:22, 59:21, 62:16, 66:10, 75:25 total ^[1] - 31:21 tour ^[1] - 46:4 track ^[1] - 44:3 traffic ^[2] - 55:18, 55:23 trained ^[2] - 25:25, 26:4 training ^[17] - 14:24, 15:5, 15:11, 15:18, 16:3, 16:7, 16:16, 17:8, 17:13, 17:17, 17:20, 18:25, 19:7, 19:10, 19:13, 20:4, 22:23</p>	<p>transcript ^[5] - 6:16, 6:21, 94:5, 94:7, 94:11 transcripts ^[1] - 47:13 trial ^[5] - 4:8, 34:2, 34:5, 34:9, 92:11 Trial ^[1] - 107:20 trick ^[2] - 81:4, 81:10 true ^[1] - 105:14 truth ^[3] - 101:15, 101:16 truthful ^[1] - 8:22 try ^[1] - 15:17 trying ^[1] - 57:7 turn ^[5] - 17:21, 21:20, 40:11, 54:24, 63:15 turned ^[4] - 15:21, 22:12, 37:20, 48:23 two ^[15] - 13:19, 30:15, 30:19, 32:13, 38:20, 41:25, 45:13, 49:16, 52:24, 55:17, 57:22, 61:20, 62:4, 73:19, 80:11 type ^[2] - 19:19, 54:14 typed ^[1] - 82:9 typewriter ^[2] - 53:13, 54:6 typewriters ^[2] - 53:15, 53:19 typically ^[2] - 66:6, 80:22</p> <p style="text-align: center;">U</p> <p>ultimately ^[6] - 15:21, 22:12, 29:18, 35:6, 78:19, 94:12 um ^[1] - 69:3 um-hums ^[1] - 69:3 unclear ^[1] - 58:8 undated ^[2] - 67:17, 67:20 under ^[1] - 81:2 understand ^[6] - 6:25, 9:19, 21:19, 22:9, 87:11, 97:7 understanding ^[1] - 7:8 unfortunately ^[1] - 33:21 unit ^[22] - 26:23, 27:11, 28:12, 28:15, 28:18, 28:22, 28:25, 29:5, 29:18, 29:23, 31:12, 31:17, 32:2, 32:9, 34:6, 37:2, 53:16, 56:18, 61:24, 78:7, 98:2, 99:22 Unit ^[1] - 43:14 UNITED ^[1] - 1:2 unpause ^[1] - 7:21 up ^[14] - 8:11, 25:16, 37:8, 37:10, 54:15, 56:22, 65:17, 67:3, 72:17, 78:10, 82:9, 92:8, 99:23 upper ^[1] - 48:15</p> <p style="text-align: center;">V</p> <p>vague ^[2] - 6:22, 43:12</p>	<p>vaguely ^[1] - 51:5 verbally ^[1] - 6:19 via ^[1] - 45:17 victim ^[2] - 72:19, 73:18 video ^[1] - 7:5 Videoconference ^[1] - 1:16 vivid ^[1] - 41:7</p> <p style="text-align: center;">W</p> <p>wait ^[1] - 8:16 waive ^[1] - 5:15 waived ^[1] - 4:15 Wall ^[1] - 2:6 watch ^[3] - 19:22, 96:6 weed ^[1] - 24:18 weeks ^[1] - 41:20 WESTERN ^[1] - 1:2 what's ^[1] - 43:17 whatever ^[4] - 37:17, 37:18, 46:5, 71:9 where ^[29] - 8:15, 15:8, 15:12, 19:3, 19:19, 20:24, 24:17, 24:19, 25:12, 27:20, 37:9, 44:22, 49:7, 53:15, 54:21, 55:14, 56:20, 61:3, 66:2, 66:6, 80:22, 81:13, 89:22, 91:19, 94:16, 94:25, 95:14, 97:25, 98:5 whole ^[1] - 101:15 wide ^[1] - 40:6 widely ^[1] - 56:17 William ^[1] - 32:7 wise ^[4] - 26:6, 29:8, 94:21, 98:10 withdraw ^[1] - 66:15 withdrawn ^[12] - 11:4, 17:5, 29:15, 31:10, 32:16, 34:24, 41:2, 54:3, 72:2, 94:16, 96:9, 97:8 witness ^[22] - 6:3, 15:14, 37:8, 44:18, 44:19, 44:22, 45:21, 46:21, 51:12, 52:4, 55:3, 55:7, 55:10, 63:11, 63:14, 64:13, 65:8, 65:13, 66:7, 73:18, 105:11, 105:15 WITNESS ^[8] - 21:13, 30:14, 39:19, 71:17, 77:23, 92:22, 93:6, 106:5 witnessed ^[1] - 65:20 witnesses ^[4] - 42:5, 52:8, 71:3, 89:16 wondering ^[2] - 33:3, 81:5 word ^[1] - 73:9 wore ^[3] - 65:14, 97:22 work ^[8] - 14:2, 18:23, 19:21, 20:14, 35:23, 38:18, 69:16, 71:22 worked ^[10] - 22:17, 23:9, 26:21, 30:7, 31:9, 37:21,</p>
--	--	--	--

38:22, 43:13, 49:25 working ^[10] - 22:2, 22:6, 28:25, 29:14, 29:17, 31:2, 31:3, 31:19, 34:23, 69:12 write ^[2] - 37:14, 76:15 written ^[6] - 25:5, 36:18, 39:8, 44:19, 44:22, 46:20 wrote ^[3] - 55:19, 86:7, 86:8 Wymiko ^[1] - 100:9
Y
year ^[9] - 13:19, 13:21, 20:4, 27:12, 28:23, 29:11, 32:15, 33:16, 93:11 years ^[14] - 11:13, 11:21, 12:3, 12:10, 12:16, 12:22, 13:4, 13:9, 14:15, 16:25, 17:6, 17:12, 17:23, 20:7 YORK ^[3] - 1:2, 105:3, 105:5 York ^[4] - 1:20, 2:8, 2:15, 105:9 yourself ^[2] - 27:3, 82:9